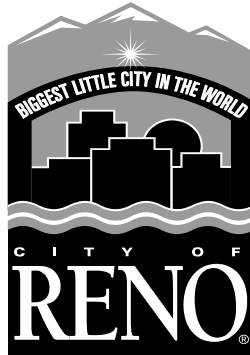


City of Reno



Civil Service Commission

**Rules and Membership
August 2009**

CIVIL SERVICE COMMISSION
Membership
July, 2009

<u>Commissioners</u>	<u>Term Expires</u>
L.D. Lovett, Chairperson	July, 2012
Joe F. Salinas, Vice-Chairperson	July, 2010
Jeannie Atkinson, Commissioner	July, 2010
Maureen Cole, Commissioner	July, 2014
Milven L. Hooper, Commissioner	July, 2010
Bertha Mullins, Commissioner	July, 2011
Ron Nicholson, Commissioner	July, 2013

Civil Service Department

Ric Bailey, Chief Examiner	(775) 334-2223
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**RENO CIVIL SERVICE COMMISSION
RULES AND REGULATIONS**

TABLE OF CONTENTS

INTRODUCTION – SUMMARY OF CIVIL SERVICE		vi
Rule I – PURPOSE AND APPLICATION		
Section 1.	Purpose	1
Section 2.	Application.....	1
Section 3.	Meetings.....	1
Section 4.	Equal Employment Opportunity	2
Section 5.	Sexual Harassment.....	2
Section 6.	Severability	2
Rule II – COMMISSION ORGANIZATION		
Section 1.	Commission Chair	3
Section 2.	Presiding Officer.....	3
Section 3.	Staff.....	3
Section 4.	Rules	3
Rule III – DEFINITIONS		4
Rule IV – APPLICATIONS AND APPLICANTS		
Section 1.	General Provisions	7
Section 2.	Compliance with Federal Record Keeping Regulations	7
Rule V – CLASSIFICATIONS		
Section 1.	General.....	8
Section 2.	Job Surveys	8
Section 3.	Titles	8
Section 4.	New and Revised	8
Section 5.	Reclassification	8
Rule VI – EXAMINATIONS		
Section 1.	General.....	9
Section 2.	Examination Series	9
Section 3.	Examination Failure.....	9
Section 4.	Job Announcement	9
Section 5.	Filing.....	9
Section 6.	Waiver of Qualifications.....	9
Section 7.	Conduct of Examinations.....	10
Section 8.	Rating.....	10
Section 9.	Grading	10
Section 10.	Postponement of Examination	10
Section 11.	Continuous Examination.....	10
Section 12.	Removals	10

Rule VII – CERTIFICATION OF ELIGIBLES, APPOINTMENTS AND PROBATION

Section 1.	General.....	12
Section 2.	Request for Certification.....	12
Section 3.	Certification	12
Section 4.	Action by Appointing Authority	14
Section 5.	Notice of Appointment	15
Section 6.	Waiver of Certification	15
Section 7.	Veteran or Employee Preference and Tie Scores	15
Section 8.	Eligible List Extension	15
Section 9.	Advanced Qualification Lists	15
Section 10.	Request to Withdraw from Eligible List; Failure to Respond	16
Section 11.	Probationary Period	16
Section 12.	Temporary and Provisional Appointments	17
Section 13.	Status of Employees	18

Rule VIII – PROMOTION

Section 1.	Career Fields	19
Section 2.	Method	19
Section 3.	Notice.....	19
Section 4.	Filing.....	19
Section 5.	Eligibility	19
Section 6.	Examinations	19
Section 7.	Eligibility Lists	20
Section 8.	Promotion Evaluation	20
Section 9.	Seniority Credit.....	20
Section 10.	Request for Certification.....	20
Section 11.	Action by Appointing Officer.....	20
Section 12.	Notice of Appointment	21
Section 13.	Limited Term Appointments	21

Rule IX – DEMOTION

Section 1.	Cause	22
Section 2.	Probation.....	22
Section 3.	Lack of Work.....	22
Section 4.	Voluntary	22

Rule X – TRANSFER

Section 1.	General.....	23
Section 2.	Transfers Permitted.....	23
Section 3.	Employment by the City of Reno of Employees of Agencies, Organizations, or Governmental Entities whose Functions Have Been Assumed by the City of Reno	23

Rule XI – SUSPENSION, DISCIPLINE AND DISCHARGE

Section 1.	General.....	25
Section 2.	Appeal.....	25
Section 3.	Hearing	25
Section 4.	Causes.....	25
Section 5.	Administrative Leave without Pay	26

Rule XII – REDUCTION IN FORCE

Section 1.	General.....	27
Section 2.	Order of Layoffs	27
Section 3.	Seniority in Layoffs	28
Section 4.	Notice of Layoff.....	28
Section 5.	Reduction in Grade and Displacement of Another Employee	28
Section 6.	Placement of Names on the Reinstatement List.....	29
Section 7.	Reinstatement Procedure	29
Section 8.	Objection to and Appeal of Layoff.....	29
Section 9.	Out of Order Layoff.....	30

Rule XIII – RESIGNATION, RETIREMENT, LEAVE OF ABSENCE

Section 1.	Resignation	31
Section 2.	Retirement.....	31
Section 3.	Re-employment after Disability Retirement	31
Section 4.	Leave of Absence.....	32

Rule XIV – APPEALS, CLAIMS, COMPLAINTS

Section 1.	Authority of Commission	34
Section 2.	Investigation.....	34
Section 3.	Claims	34
Section 4.	Administrative Complaints	34
Section 5.	Appeals	35
Section 6.	Appeals Procedure	35
Section 7.	Hearings.....	35
Section 8.	Commission Action	35

Rule XV – RECORDS AND REPORTS

Section 1.	Personnel Records.....	37
Section 2.	Reports	37

Appendix A

Code of Ethics for Public Officials, Reno Municipal Code.....	39
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Appendix B

Reno City Charter, Article IX, Civil Service.....	51
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INTRODUCTION - SUMMARY OF CIVIL SERVICE

The Civil Service Commission is mandated by the Nevada State Legislature in the City Charter, Article IX (included in the back of this Rule Book). It is an autonomous body of seven (7) residents of the City of Reno with no other connection with the City government who are appointed to five (5) year terms on succeeding years by the Mayor with approval of the City Council. It is their charge and authority to provide the City of Reno with an efficient work force, with equity to all persons concerned.

It is their task to supervise the merit system of competition and fitness in procedures for recruiting, evaluating, selecting, employing, promoting and retaining all employees in Civil Service within the City. They must receive and evaluate all applications for employment in the City's Civil Service, administer written and oral examinations, establish eligibility lists, and certify eligibles in all Civil Service classifications. They must function as an appeal tribunal for confirmed employees within Civil Service regarding dismissal, demotion, suspension and disciplinary actions. It is their duty to establish career paths on which employees within the Civil Service may progress to mutual advantage. They are responsible for all Civil Service employee transfers. It is also their responsibility to assure equal employment opportunities to all races, colors, sexes, sexual orientation, disability, ages, national origins, religious beliefs and political or organizational affiliations. With this, they have the responsibility of utilizing affirmative action programs to rectify past discrimination practices, should such practices become apparent.

To these ends, the Commission must appoint a Chief Examiner to administer the Civil Service system at their pleasure. The City Council must provide to the Civil Service Commission employees, facilities and funds necessary and proper for the purpose of enabling the Commission to accomplish its functions and purposes.

CIVIL SERVICE RULES AND REGULATIONS
for
THE CITY OF RENO, NEVADA

Pursuant to the provisions of Article IX of the City Charter of the City of Reno, State of Nevada, the Civil Service Commission of the City of Reno, Nevada, hereby prescribes the following rules and regulations relating to the employees of the City of Reno within the provisions of said Article IX. In all cases not governed by Constitutional provisions, the Nevada Revised Statutes, the Charter of the City of Reno and these Rules and Regulations, the Robert's Rules of Order, by Henry M. Robert, shall apply.

RULE I. PURPOSE AND APPLICATION

Section 1. Purpose.

The general purpose of these rules is to establish uniform methods of practice and procedure for the administration of the Civil Service program as provided in the Charter of the City of Reno. The intent of the Charter is interpreted to require that the City of Reno and its employees shall have reasonable assurance that employment matters will be dealt with on a uniform, equitable basis so that the citizens of Reno may derive the benefits and advantages which can be expected to result from a competent staff of employees. Merit principles of competition and fitness shall govern in the procedures for selection, employment, promotion and retention.

Section 2. Application.

These rules shall apply to all City of Reno Civil Service positions and offices.

Section 3. Meetings.

At least one (1) regular meeting of the Commission shall be held each calendar month at a time and place agreed upon by the Commission. All meetings shall be open to the public and notice of the meeting shall be published at least three (3) working days prior. Additional or special meetings may be called by the Chair or upon the request of four (4) Commission members. All official action of the Commission shall be approved by a majority of the Commission members present.

- (a) Regular attendance at the Civil Service Commission meetings by the members is expected by the Chairperson, the Mayor and the Reno City Council.
- (b) Three (3) consecutive unexcused absences by a Commissioner from regular or special Civil Service Commission meetings shall result in the "automatic resignation" of that member. Absence from a series of meetings pertaining to one (1) subject such as an appeal or otherwise shall be deemed an absence from one (1) meeting only for purposes of this rule. An unexcused absence is an absence that has not been noticed by a Commissioner to the Chairperson or Chief Examiner prior to the next meeting.
- (c) Such "resignation" may be appealed to the Reno City Council. Said appeal shall be initiated by the member and filed with the Reno City Council within thirty (30) days following notification that the Commissioner has been "automatically resigned" from the Civil Service Commission.

Section 4. Equal Employment Opportunity.

The City of Reno is an equal opportunity employer. All persons who meet the established qualification standards will be considered equally for employment or promotion. No person shall be discriminated for or against in employment, promotions, retention or any other personnel action because of political, religious or organizational affiliation, race, color, age, sex, sexual orientation, disability, reasons based on reprisal or any other non-merit factor.

Section 5. Sexual Harassment.

- (a) Harassment on the basis of sex is illegal. Unwelcome, unwanted or repeated sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Applicants for and employees in civil service positions must present allegations, claims or complaints of sexual harassment to the City of Reno for investigation and resolution in accordance with the policies and procedures of the City of Reno. Section 9.050 of the Charter and Rule XIV governing appeal rights of civil service employees in regards to dismissal, demotion, suspension and disciplinary actions, will continue to be applicable in accordance with such provisions. (Amended 02/22/01 and 3/23/06)

Section 6. Severability.

If any section or part of any section of these Rules is held by any court to be invalid or unconstitutional, the same shall not invalidate or impair the validity, force or effect of any other section or part thereof.

RULE II – COMMISSION ORGANIZATION

Section 1. Commission Chair.

The Civil Service Commission shall select one (1) of its members to serve as Chair and one (1) other member to serve as Vice-Chair for a period of two (2) years beginning with the first regular meeting in July of each odd numbered year.

Section 2. Presiding Officer.

The Chair shall preside at all meetings of the Commission. In the absence of the Chair, the Vice-Chair will serve as Chair.

Section 3. Staff.

- (a) The staff of the Commission shall consist of a Chief Examiner and such assistants and employees as may be required to administer the Civil Service system. Under the direction of the Chief Examiner, the staff shall be empowered to act for and in the name of the Commission in the conduct of daily routine business as authorized by the Commission.
- (b) An unclassified contract will be agreed upon between the Commission and the Chief Examiner in which will be established the compensation, benefits and terms of employment for the Chief Examiner, consistent with other City employee management groups.

Section 4. Rules.

Any proposed addition or amendment to these rules shall be filed in writing with the Chief Examiner. The Commission will meet and hear objections to the adoption of such proposed amendment or modifications to be given in writing to the Mayor and members of the City Council and to the head of each department affected by such amendment or modification, and to be posted on the bulletin board and in conspicuous places accessible to employees affected by such proposed amendment or modification not less than ten (10) days prior to the date of said meeting.

RULE III – DEFINITIONS

1. Advanced Qualification: Commission approved minimum qualifications that exceed those usually required in order to select and hire candidates that have successfully completed an occupationally required training academy or an approved performance standard. (Amended 07/23/09)
2. Applicant: A person who applies to take an examination for appointment or promotion to a classified position.
3. Appointee: A person who has been employed from a Civil Service eligibility list.
4. Approval: The written statement given by the Civil Service Commission that a probationary employee has satisfactorily completed the probation period and is confirmed.
5. Certification: The recommendation for probationary appointment, either original or promotional, given by the Commission to an applicant who has successfully completed the required examination or examinations, and is eligible for such appointment.
6. Certification List: A list of names of applicants who have passed the prescribed entrance or promotional examinations for positions in the Civil Service, in the order of final ratings earned.
7. Charter: The Charter of the City of Reno.
8. City Manager: The duly appointed City Manager of the City of Reno, County of Washoe, State of Nevada.
9. Classification: A group of positions sufficiently similar in respect to their duties and responsibilities that: (a) the same title may be used to designate each position allocated to the classification; (b) the same minimum requirements for work be required for all incumbents; (c) the same selection and examination process to be applied; and (d) the same schedule of compensation be applied with equity under the same or substantially the same working conditions.
10. Classification Plan: The process of identifying the duties and responsibilities of classified positions and the placement of these positions at their correct relative grade levels.
11. Classification Specification: A consolidation of all job descriptions which are the same or similar in degree of responsibility or of a complexity or require the same skill, knowledge or experience to perform, and from which is determined the basic levels required to perform satisfactorily the work of any one of such positions.
12. Classified Service: An employee who has been employed to a position in classified service, not specifically exempted by the Charter, which have been determined to be under the rules and regulations of the Civil Service Commission.
13. Commission: The duly appointed Civil Service Commission of the City of Reno, County of Washoe, State of Nevada.
14. Confirmation: Action taken by the Civil Service Commission affirming that an employee has successfully completed the probationary period and shall henceforward be entitled to the rights and privileges accruing to permanent employees under the City Charter.

15. Confirmed – Regular Permanent Employee: An employee who is lawfully retained in a position after completion of the probationary period provided for in the Charter of the City of Reno and these rules.
16. Demotion: The reduction of a classified service employee to a lower Civil Service classification.
17. Department Head: The duly appointed managing director of any department.
18. Disciplinary Action: A personnel action taken against an individual employed by the City of Reno, who has violated the policies, rules or authority governing work. Discipline may include, but is not limited to suspension, demotion or dismissal.
19. Discrimination: Making employment decisions based primarily on an employee's protected class status, such as sex, race, color, religion, national origin, age or disability, instead of his or her qualifications. (Added 06/25/1998)
20. Eligible Certified Candidate: A person who has successfully completed an examination consisting of one or more tests as determined by the Commission, and is available to be appointed to a vacant Civil Service position for which they have qualified.
21. Examination: A course of inquiry into the fitness of an applicant to hold a position under the provisions of the City Charter and these rules. An examination may consist of: assessment center techniques, written tests, interviews or oral tests, practical, performance or agility tests, demonstrations of skill, tests of capacity or knowledge, health or physical fitness, investigations of past performance, personal qualifications, character, education, experience, or any combination of tests which the Commission deems appropriate.
22. Illegal act(s) of Sexual Harassment and/or Discrimination: Treating an individual differently because of that person's membership in a protected class status, in terms of working conditions and employment benefits. (Added 06/25/1998)
23. Incumbent: A person who holds a classified position pursuant to a regular appointment wherein the job content of that position has gradually changed, resulting in reclassification of the position. (Added 07/10/1996)
24. Job Description: A detailed listing of the duties, tasks or operations and responsibilities undertaken and performed by an individual in the execution of his job. The Civil Service Commission is responsible for job announcement for Civil Service positions which the Commission will implement after its job analysis, which may have more current information than the available job description.
25. Laid-Off-List: A list of employees in the classified service of the city who have been removed from active city service because of lack of work or funds, or abolishment of the job or position, or for other good cause or circumstances which are beyond the control of the officers and employees involved.
26. Leave of Absence: A period of excused absence with or without pay from the Civil Service which has been approved and granted in the manner set forth in these rules.
27. Limited Term Appointment: Limited term appointments are appointments from a Civil Service eligibility list for a period of time which may be in excess of six (6) months and may be for a definite or indefinite period of time contingent upon an anticipated event occurring. (Added 11/21/1996)

28. Minutes: The official record of meetings of the Reno Civil Service Commission.
29. Personnel: The collective employees of the City of Reno who are now or shall hereafter be included under the provisions of Article IX of the Charter of the City of Reno.
30. Probationary Orientation or Adjusted Period: That period between appointment of an applicant and confirmation in the manner set forth in these rules.
31. Probationer: An employee who has probationary status.
32. Promotion: Progression to a higher grade of service through Civil Service procedures.
33. Provisional Appointment: A temporary appointment of a civil service employee to a position when no approved eligible list exists or no applicants on an eligibility list are available for appointment. Provisional appointments shall not exceed a period of six (6) months unless extended by the Commission. The Civil Service Commission must receive notice of all provisional employees when first assigned. (Amended 09/10/93 & 02/15/95)
34. Rating: An evaluation, appraisal, score or grade given in any selection process.
35. Resignation: The voluntary separation of an employee from the Civil Service.
36. Retirement: The separation of an employee from active service within the provisions of the Public Employees Retirement System of the State of Nevada, or any retirement system which shall hereafter be adopted by the City of Reno.
37. Salary: The compensation for service rendered, exclusive of mileage, traveling allowances and other sums received for actual and necessary expenses incurred in the performance of the city's business.
38. Seniority Credit: The numerical credit allowed for years of continuous service in any department or division.
39. Suspension: The disciplinary removal of an employee from an office or position for a specified period of time with loss of pay.
40. Temporary Employee: An individual employed by the City for the purpose of doing work which is of a seasonal or temporary nature not to exceed six (6) months during any twelve (12) month period, unless approved by the Commission. The Civil Service Commission must receive notice of all temporary employees when hired and must approve the hiring of all 1560 hour temporary employees before the 1560 hour employment period is to begin. (Amended 09/23/93)
41. Termination: The involuntary removal of a person from the classified service.
42. Test: One (1) section of an examination series.
43. Transfer: Movement of an employee from a classified position to another in the same classification or to a related classification with Civil Service when no promotion is involved.

RULE IV – APPLICATIONS AND APPLICANTS

Section 1. General Provisions.

- (a) All applications shall be addressed to the Civil Service Commission of the City of Reno, Nevada. Such application must be completed and certified by the applicant or as directed upon the application, must be made on a form provided by the Commission, must state the position to which the applicant seeks appointment and must contain the following information.
 - (1) Full name and address.
 - (2) Statement of work status: “Can you work legally in the United States, specifically Reno, Nevada?”
 - (3) Age requirement qualifications: Reno Police Officer candidates must be a minimum age of twenty-one (21) years; all other Civil Service positions require a minimum age of eighteen (18) years or the minimum approved age, whichever is lower. “Do you satisfy the age requirement for the position for which you are applying?”
 - (4) Business or employment, including volunteer and military experience, for at least the past three (3) years.
 - (5) Extent, place and nature of education.
 - (6) Whether ever convicted of a crime and details thereof.
- (b) The Chief Examiner shall reject the application of any person which is not written on the prescribed form and filed within the period specified by the Commission or which indicates on its face that the applicant:
 - (1) Does not possess the minimum qualifications required for the position.
 - (2) Has made any false statements of any material facts or practices, or attempted to practice, any deception or fraud in his application.
- (c) If an application has been accepted by the Chief Examiner, and the applicant is later found to lack the requirements, or to violate the rules prescribed herein, the Chief Examiner shall reject the application; or after examination, shall disqualify a successful candidate and remove that candidate’s name from any eligibility list upon assent by the Commission.
- (d) Whenever an applicant is rejected, notice of such rejection shall be mailed to the applicant within fifteen (15) working days by the Chief Examiner. Defective applications may be returned to the applicant with notice to amend the same, and the application may be amended and re-filed.
- (e) That no individual employed by the City of Reno as an elected official, the City Manager, a department head or assistant or deputy department head, or any member of the City of Reno board, agency or commission established by Nevada Revised Statutes, elected or appointed, shall hire or appoint on behalf of the City of Reno any relative of such elected official, City Manager, department head or assistant or deputy department head or any member of a City of Reno board, agency or commission established by Nevada Revised Statutes, elected or appointed, within the third degree of consanguinity or affinity.

Section 2. Compliance with Federal Records Keeping Regulations.

All applicants shall be encouraged to voluntarily complete a Background Survey Questionnaire which will give statistical information required by Federal Guidelines regarding applicant and candidate, age, sex, race, ethnicity, and disability status. Such Questionnaire will be disassociated from the Application for Employment immediately upon receipt and shall not be considered any time for employment decisions.

RULE V – CLASSIFICATIONS

Section 1. General.

The Commission shall administer a classification plan for all classified positions in the City of Reno. Each position shall be designated by classification title and specification number. No appointment to any classification shall be made except as provided by these rules.

Section 2. Job Surveys.

Surveys may be conducted for job requirements, classification relationships, and lines of progression for each position within the classified service.

Section 3. Titles.

Classification titles for each position in the classified service shall be, as nearly as possible, descriptive of the general duties attached thereto, and shall be the same for all offices and places requiring the same service. Such classification titles and specification number shall be used to designate employees' positions or jobs in all official communications, reports and Civil Service records.

Section 4. New and Revised Classifications.

Specifications for the new position will be prepared by the City Manager [or a delegated representative] and presented to the Commission. The Commission will be charged with the responsibility of reviewing and approving the minimum qualifications.

Section 5. Reclassification.

Whenever duties or responsibilities of a position change to the extent that they are no longer representative of the assigned classification, they may be reclassified.

- (a) Whenever a position is reclassified which involves a promotion, the incumbent shall be required to take and pass the current examination for the new classification.
- (b) Whenever the qualifications of a classification are adjusted upward, all incumbents holding that classification shall be deemed to possess such qualifications; such adjustment shall not affect their present status provided any requirement imposed by local, state or federal law is met, as required by the local, state or federal law. (Amended 08/27/09)
- (c) Should the reclassification result in down grading, the affected employees may retain the reclassified position at the lower level or may request a transfer to another position in their present classification. Upon a request for transfer, the affected employee shall accept transfer to the first available position at which time the reclassification shall be implemented. Failure to accept transfer to the first available position shall result in reclassification to the lower position.

RULE VI – EXAMINATIONS

Section 1. General.

The Commission shall provide for competitive examinations for all positions within the classified service. They shall provide for notice of such examination, general qualifications for applicants, practical tests and creation of eligible lists. Examinations, if practical, shall be held prior to expiration of an eligible list and at such time and place as designated by the Commission.

Section 2. Examination Series.

An examination series for appointment within the Civil Service, whether for original or promotional appointment shall consist of written oral performance, or physical test, or any combination thereof, to include the assessment center technique, which the Commission may order. All examinations shall relate to those matters which shall fairly test the intelligence, competency, and suitability of the applicant, with departmental input, to discharge the duties of the position to which appointment is sought.

Section 3. Examination Failure.

If an applicant shall fail one of the prescribed tests in an examination series, that applicant will not be eligible to complete the series, unless otherwise ordered by the Commission for the good of the service.

Section 4. Job Announcement.

Notice of job announcements shall be posted in the office of the Commission as well as forwarded to departments and divisions, and given such other publicity as deemed necessary. Such notice shall give the character of the examination and shall indicate the qualifications required of applicants. Job Announcements shall fix the period in which applications will be received.

Section 5. Filing.

No person shall be admitted to any examination for a position in the classified service that has not completed and submitted an application upon a form provided by the Commission which shows the applicant has met the requirements stipulated by these Rules. No information shall be requested, or accepted, on the application form which reveals religious or political affiliations, race or color of the applicant. Applications found to be incomplete or incorrect may be returned to be corrected and re-filed. A written notification designating the time and place of examination shall be mailed to the applicant. An identification with photograph will entitle applicants to enter the place for examination.

Section 6. Waiver of Qualifications.

In order to expedite an examination process or the development of certification lists, the Commission may change or modify the minimum qualifications. The Commission by action may waive for justifiable cause the requirement of residency or any qualification in an effort to obtain qualified applicants for classified positions. Examination notices shall contain the minimum qualifications and a minimum age and, if necessary because of physical or other special requirements for the position, a maximum age provision. The Commission may refuse to examine applicants, or after an examination to certify candidates and remove names from the certified list for any of the following reasons:

- (a) Dismissal from City of Reno employment, for cause.
- (b) Intentionally false statement of any material fact in securing examination, certification or appointment.

- (c) Any other willful violation of the provisions of this rule. (Amended 04/27/93)

Section 7. Conduct of Examinations.

All assembled examinations shall be conducted and managed so that no examination paper will disclose the name of any applicant until all the examination papers have been graded. This rule will not apply during continuous testing. Examiners are forbidden to explain the meaning of any question. All conversation or communication during the examination is strictly prohibited. Candidates must receive permission to leave the room during any examination. An applicant who withdraws from an examination, after filling out the identification sheet and receiving a copy of the questions shall be considered as having failed.

- (a) No assistance of any kind will be allowed during examination unless specifically authorized by the Commission or its representative. Any written or printed matter that might be of aid in the examination, unless approved by the Chief Examiner, must be handed in before the examination commences. Any attempt to cheat or copy from another applicant will render the violator ineligible.

Section 8. Rating.

Each examination shall consist of one (1) or more tests to which weights shall be assigned, prior to the examination series, representing the relative value of each test to the whole. The Commission shall establish the minimum passing point for each test in an examination series, for each test in an examination, and for procedures for the computation of scores. All applicants for the same examination shall be accorded uniform and equal treatment in all phases of the examination and rating procedure.

Section 9. Grading.

All examination materials remain the property of the Commission and shall be retained in its files according to the Commission's retention schedule. Within fifteen (15) working days, or as soon as practical, candidates will be notified whether they passed or failed and their position on the eligible list.

Section 10. Postponement of Examination.

Whenever it may appear to the Commission, by reason of the small number of applicants for any examination, either open competitive or promotional, that such examination has not been given sufficient publicity, or for other good and sufficient cause, the Commission may postpone said examination to a later date. All persons having applications on file for the particular examination shall be notified of the postponement and shall be further notified of the new date and time at which they are to appear for such examination.

Section 11. Continuous Examination.

Examinations for classifications in which the need continually exceeds the availability of appointees, may be administered as applications are received with results merged into one eligible list as eligibility is established.

Section 12. Removals.

The Commission shall remove the name of an eligible from the list if the eligible has:

- (a) Been certified and passed over three (3) times for appointment. Written justification by the appointing authority for passing over the eligible the third time will be forwarded to the

Commission prior to removing the eligible's name from the eligibility list, this information is confidential.

- (b) Failed to respond to a written offer of employment within five (5) working days, the offer may be rescinded and the person removed from the list. However the applicant may petition the Commission to be reinstated on the list if satisfactory reasons for such failure to respond, are presented within fifteen (15) working days, by contacting the Commission to appeal such removal, to the Commission or its designee, the Chief Examiner, who may review and reinstate the name on the eligibility lists.
- (c) In the event of declination of appointment by an eligible, that name shall be removed from the eligible list immediately and notification of such action shall be mailed to the eligible.
- (d) Or, for cause as in Section 6 of this Rule.

RULE VII - CERTIFICATION OF ELIGIBLES, APPOINTMENTS AND PROBATION

Section 1. General.

No appointing officer shall select or appoint any person for, or to, any position within the classified service except as provided within these Rules; nor shall the Commission approve the appointment of any person except as provided by these Rules. Vacancies in the classified service, if not filled by transfer, shall be filled by request for certification as provided herein.

Section 2. Request for Certification and Pre-certification Background Check.

- (a) Request for Certification. Whenever a vacancy is to be filled in the classified service, the appointing officer shall make request for certification to the Commission upon a form provided, setting forth the classified title and specification number of the position, and any other information deemed appropriate.
- (b) Pre-certification Background Check. In order to streamline the comprehensive background check process utilized by the hiring authority, a pre-certification background check process may be conducted by the Reno Police Department Background Investigation Unit on particular classifications selected and approved by the Civil Service Commission.

The classification currently selected for the pre-certification background check process is police recruit. If the hiring authority determines a comprehensive background check should be utilized for any other classification, release of information requires the prior approval of the Civil Service Commission and compliance with all applicable Civil Service Rules.

The only information released to the Reno Police Department Background Investigation Unit to conduct the pre-certification background check is information pertaining to a candidate's identity and rank order as designated on the list of eligible candidates. Until such time as an eligible candidate is certified to the appointing authority pursuant to this rule, the following applies:

- (1) the released information and the related pre-certification background check findings shall remain confidential and shall not be distributed to the hiring authority by the Background Investigation Unit; and
- (2) the hiring authority shall not conduct an interview of the eligible candidate. (added 12/18/03)

If this rule is not complied with or a breach of the confidentiality of this process occurs for any reason, the Civil Service Commission shall be immediately notified and it is entitled to review the matter and shall have the authority to take action appropriate to enforce its rules and any remedial action needed to protect the integrity of the civil service process, including, but not limited to, immediate suspension of releasing information for the pre-certification background check process. The above confidentiality requirements are to be applied in conformity with all other employee confidentiality requirements provided by law.

Section 3. Certification. (Amended 02/15/95, 05/14/02 & 06/08/05)

Upon receipt of a request for certification, the Commission shall ascertain the availability for employment of persons from the appropriate list and shall then certify:

FIRST: From the laid-off list, the same numbers of names as there are vacancies, in the inverse order of their layoff, for positions to which they are eligible.

SECOND: From a promotional list as follows:

- (a) Fire Department: If the list contains fifteen (15) names or less, the ten (10) highest available eligibles; if the list contains more than fifteen (15) names, the eleven (11) highest available eligibles; If the list contains fewer than ten (10) eligibles, all names shall be submitted. If there is more than one vacancy, one additional name shall be submitted for each vacancy.

- (b) Remainder of the City: Certification of eligible candidate rule:

Rule of Six	If the list contains fifteen (15) names or less, the six (6) highest scoring available eligibles or the total available eligibles, whichever number is less.
Rule of Seven	If the list contains from sixteen (16) names to twenty (20) names, the seven (7) highest scoring available eligibles shall be certified to the requesting department.
Rule of Eight	If the list contains twenty-one (21) names to twenty-five (25) names, the eight (8) highest scoring available eligibles shall be certified to the requesting department.
Rule of Ten	If the list contains twenty-six (26) names to ninety-nine (99) names, the ten (10) highest scoring available eligibles shall be certified to the requesting department, together with one additional highest scoring available eligible for every twenty-five (25) additional names on the list in excess of ninety-nine (99) names.

If the last score in rank order is a tie score and there are two or greater eligible candidates, all available eligible candidates with the same tie score are to be certified. (Amended 05/14/02)

For the Rule of Ten, if a selection is not made from among the initial list of certified candidates, an appointing authority may request in writing an additional ten (10) names from which a selection may be made. The appointing authority may be allowed up to ten (10) additional names to replace candidates who were not available for a hiring selection interview.

An additional name shall be added for each set of twenty-five (25) names for lists that exceed one hundred eligibles. An additional two names shall be added for each set of twenty-five (25) names for lists that exceed two hundred eligibles.

THIRD: From an original eligible list for appointment to the classification in which the vacancy occurs, the names, addresses and telephone numbers of the highest available eligibles, as follows:

- (a) Fire Department: Names shall be submitted in accordance with the consent decree entered in the case of Washington v. City of Reno, et al. in the United States District Court, District of Nevada, Case No. CV-R-78-51-ECR. The number of names submitted shall be determined by the Commission after consideration of the needs of the Fire Department and the purpose of the consent decree, but in no event shall be less than the number of names that would be submitted in connection with a vacancy for any other department of the City. At such time as the City is relieved of its obligations under the consent decree, the Commission shall review Fire Department original eligible lists.

(b) Remainder of the City: Certification of eligible candidates rule:

Rule of Six	If the list contains fifteen (15) names or less, the six (6) highest scoring available eligibles or the total available eligibles, whichever number is less.
Rule of Seven	If the list contains from sixteen (16) names to twenty (20) names, the seven (7) highest scoring available eligibles shall be certified to the requesting department.
Rule of Eight	If the list contains twenty-one (21) names to twenty-five (25) names, the eight (8) highest scoring available eligibles shall be certified to the requesting department.
Rule of Ten	If the list contains twenty-six (26) names to ninety-nine (99) names, the ten (10) highest scoring available eligibles shall be certified to the requesting department, together with one additional highest scoring available eligible for every twenty-five (25) additional names on the list in excess of ninety-nine (99) names.

If the last score in rank order is a tie score and there are two or greater eligible candidates, all available eligible candidates with the same tie score are to be certified.
(Amended 05/14/99 & 11/29/2002)

For the Rule of Ten, if a selection is not made from among the initial list of certified candidates, an appointing authority may request in writing an additional ten (10) names from which a selection may be made. The appointing authority may be allowed up to ten (10) additional names to replace candidates who were not available for a hiring selection interview.

An additional name shall be added for each set of twenty-five (25) names for lists that exceed one hundred eligibles. An additional two names shall be added for each set of twenty-five (25) names for lists that exceed two hundred eligibles.

Section 4. Action by Appointing Authority.

Upon receipt of certification, the appointing officer shall interview and consider each certified eligible, and every fourteen (14) days after receipt of certification, shall notify the Chief Examiner in writing an update of the hiring selection interview process. Upon receipt of certification, the interview process shall be completed within sixty (60) working days. The appointing officer, within ten (10) working days following the hiring selection interview process, shall select one (1) of the eligibles and so notify the Commission on the form provided. (Amended 02/28/08)

If any eligibles are passed over on a promotion certification list, the appointing officer shall confer with the passed over candidate and explain, in writing, the reasons for rejection in order that the passed over candidate might better prepare for further consideration during the viability of the promotion certification list or for possible future promotion. The appointing officer, after selecting one (1) or more of the eligibles for which vacancies are to be filled, shall notify the hiring selection decision to the eligible(s) passed over within three (3) working days of notification to the selected eligible(s). (Amended 05/14/99, 10/26/06 & 02/28/08)

If fewer than three (3) names appear on the approved eligible list, such name or names may be certified, but the appointing officer may reject such certification, in which case the Commission shall declare the list exhausted. Another examination then will be held and the appropriate number of names certified.
(Amended 05/27/99)

Section 5. Notice of Appointment.

The department is responsible to notify the Commission, in writing, of the candidate selected within five (5) working days.

Section 6. Waiver of Certification.

Eligibles may request, in writing, that they not be considered for selection. Providing the reasons presented are satisfactory to the Commission or its designee, the Chief Examiner, such waiver must be requested in writing within twenty (20) working days of the certification of the list to a department. An eligible may waive only two (2) times before being stricken from the eligible list. (Amended 10/26/06)

Eligibles on a promotional list may request waiver of consideration only for positions which are not within their own department or division.

Section 7. Veteran or Employee Preference and Tie Scores.

- (a) Applicants who attain a minimal passing score on the examination shall be enrolled upon the Certification Lists in order of their final rating. When two (2) or more eligibles have received the same score, including seniority points, the ranking shall be determined by a random assignment by computer unless one (1) of the eligibles has submitted proof of honorable discharge from the military service. Said eligible shall be awarded veteran's preference in cases where two (2) or more of the eligibles who have received the same average rating, claim, and have been awarded, veteran's preference, the ranking shall be determined by a random assignment by computer. In this instance, all eligibles receiving veteran's preference shall be ranked above all other eligibles receiving the same average score on both open competitive, as provided in subsection (b), and promotional examinations. The first appointed to the position from which promotion is sought, shall have priority. There shall be no limit to the number of eligible lists on which an individual's name may appear at any one (1) time. A candidate who desires to claim veteran's preference must at time of application submit documentation of honorable discharge from the United States Armed Forces.
- (b) In the event of tie scores resulting from an open competitive examination, employees will be provided a rank preference in the following order: employees with veteran status established pursuant to subsection (a) shall be given first preference, non-veteran employees second preference, and non-employee veterans third preference. (Added 08/14/98)

Section 8. Eligible List Extension.

Eligible lists shall be effective from the date of their approval by the Commission and shall continue in force for a period of one (1) year unless extended by the Commission for a period not to exceed one (1) additional year. The Commission may, on its own initiative declare said list void at any time.

Section 9. Advanced Qualification Lists.

In the absence of an open-competitive list and pending establishment of the same, a department may request the Commission to authorize the creation of an Advanced Qualification List.

If the Commission elects to authorize an Advanced Qualification List, it shall establish the necessary advanced qualifications for an individual to be eligible to compete for placement on the Advanced Qualification List.

The Advanced Qualification List shall be comprised of the names of individuals who have successfully passed the Civil Service examination process and met the advance qualification requirements established by the Commission.

Individuals will be ranked on the Advanced Qualification List based on score and placement obtained in the Civil Service examination process, highest placement first. (Amended 05/13/93)

Section 10. Request to Withdraw from Eligible List; Failure to Respond.

If an eligible requests their name be withdrawn from an eligible list, they must do so in writing. Upon receipt of their request, their name shall be stricken from such eligible list. (Amended 10/26/06)

For any entry level appointment, any eligible who fails to respond within five (5) working days of the date of notice of appointment to report for duty, will forfeit rights to the position for which notified, and that person's name shall be stricken from the eligible list.

The eligible may be reinstated in proper order upon the eligibility list, if, within fifteen (15) working days from the date of the notice sent, satisfactory reasons to the Commission or its designee, the Chief Examiner, for failure to report are submitted. If the position for which appointment was offered has been filled because of failure to respond, the eligible shall be reinstated on the eligibility list in the proper order according to the final rating as it is then constituted. (Amended 10/26/06)

Failure to respond within five (5) working days to a hiring selection interview established by a departmental hiring authority; and, upon confirmation by the Chief Examiner that the eligible is not responding to an interview request by a departmental hiring authority, the eligible shall be stricken from the eligible list. If an eligible is unable to respond due to illness or other extenuating circumstance, the eligible must notify the Chief Examiner within ten (10) working days in writing for consideration to remain on the eligible list. (Amended 10/26/06)

Failure to appear at time set for the hiring selection interview shall result in the candidate's removal from the eligible list, unless the eligible provided a written request within one (1) working day to reschedule, which has been approved by the departmental hiring authority. (Amended 10/26/06)

Section 11. Probationary Period.

- (a) All original, promotional and reclassified employees shall be appointed tentatively and be subject to a probationary period as prescribed by the Commission. Except for sworn public safety and other enforcement employees, such probationary period shall be six (6) months in duration and may be extended an additional six (6) months upon approval by the Commission. In no case shall the probationary period exceed twelve (12) months.

In the case of sworn public safety employees, the probationary period shall be twelve (12) months. In the event a twelve (12) month probationary employee suffers injury, illness, or other disability and is unable to perform all of the essential functions of the job, the Commission may, at the request of the appointing authority, extend the probationary period. The extension may not exceed the period of injury, illness or other disability which prevented the employee from performing all of the essential functions of the position and will be approved only in cases where the employer requires the full twelve (12) month period to properly evaluate the employee's job performance. (Amended 09/25/97)

- (b) The probationary period shall be regarded as an integral part of the examination process and shall be used for closely observing the employee's work, for securing the most effective adjustment of the employee to the position, and for eliminating any probationary employees whose performance does not meet the required standards of work.

- (c) During the probationary period, the employee's immediate supervisor will counsel the probationary employee at least once a month to assess the adjustment of the employee to the position. A written record of such meeting will be placed in the employee's file.
- (d) Confirmation of a probationary employee must be approved by the Commission.
- (e) The department head, or the City Manager, may terminate any Civil Service employee during the probationary period without rights of appeal, except in cases in which the employee claims that the termination occurred as a result of sexual harassment, unlawful discrimination or any other illegal act. Written notice of such action shall be given to the employee, the employee organization, if any, and the Commission by the date of the meeting of the Commissions immediately preceding the effective termination date. (Amended 02/19/98)
- (f) The Commission may reinstate a probationary employee terminated from an original appointment to the eligible list. Such action shall enact the provision of Rule VI Section 12, (a).
- (g) A probationary employee laid off because of reduction in force will be reinstated on the active eligible list from which they were initially hired. All civil service rules including those related to hiring selection and interviewing will apply. If such employee is re-hired from the active eligible list, the probationary period will resume from the time served prior to layoff. The laid off probationary individual will have no civil service rights, including but not limited to, rights of seniority, displacement, reinstatement to an active eligible list, resumption of employment and appeal. (Amended 07/23/09)
- (h) Any probationary employee whose probationary status results from promotion shall be considered terminated from the promotional position, without the right to appeal to the Civil Service Commission, should the department head determine that adjustment to the promotional position is unsatisfactory before completion of the probationary period. Such employee shall be returned to the former classification, provided the employee does not displace any employee with greater classification seniority. Should no position exist, the employee shall either be appointed to a vacant position in the next lower classification or be placed on the laid-off list.

Section 12. Temporary and Provisional Appointments.

- (a) Temporary Employees. The department head or City Manager may employ applicants without approval of the Civil Service Commission for the purpose of doing work which is of a seasonal or temporary nature, not to exceed six (6) months during any twelve (12) month period, unless approved by the Commission. The department head or City Manager may request the names of persons who have applied for and passed an examination currently viable for a Civil Service eligibility list from which to fill such temporary positions. (Amended 09/23/93)
- (b) 1560 Hour Temporary Appointment. This is a temporary appointment that must be approved prior to the beginning of the 1560 hour employment period in order to fill positions that are based on a seasonal relationship which may differ from the usual temporary six (6) calendar months of temporary employment duration. These appointments will be non-career positions with no benefits other than those prescribed by statute. Individuals may be hired by the requesting department after that department has conducted interviews based on established minimum qualifications for an existing classification and possession of required accreditation certificates. The requesting department must track and

terminate the temporary appointment, providing a report to the City Manager or the City Manager's designee. A copy of this report shall be forwarded to the Civil Service Commission in order for the department to demonstrate compliance with this rule.

- (c) Provisional Appointees. When vacancies occur within the Civil Service, and when an approved list is not available the department head or City Manager may select qualified persons as provisional appointees to fill the vacancies. Time spent under provisional appointment shall not be credited to the probationary period, and no seniority credit shall be allowed in the giving of any examination or the establishment of any employment or promotional list for service rendered under provisional appointment, except as herein provided. The time spent under provisional appointment may be credited in computing total service of any employee. (Amended 09/23/93)
- (d) The department head shall forward notice of appointment and termination of provisional appointees to the Chief Examiner for purposes of record. (Amended 09/23/93)
- (e) The City Manager or his designee shall, not later than twenty (20) working days after the end of each calendar quarter, provide the Civil Service Commission with a roster of temporary provisional employees and non-civil service part-time employees. The roster shall include the employee's job title, date of hire and hours worked through the last pay period of the quarter. (Added 11/21/95)

Section 13. Status of Employees.

Appointment to a position on a temporary or provisional basis, or any position not in the classified service, shall confer neither Civil Service probationary or confirmed status, nor any privilege of promotion or transfer to any other position in the Civil Service. A temporary or provisional appointee shall not have the right of appeal from discharge or disciplinary action under Rule XI of these Rules and Regulations. (Amended 09/23/93)

RULE VIII. PROMOTION

Section 1. Career Fields.

The Commission shall establish broad career fields and lines of progression from lower to higher grades of service in all cases where the duties and responsibilities of the lower position tend to qualify for service in the higher.

Section 2. Method.

Whenever a vacancy in the classified service exists, it shall be filled by promotion from a lower classification or grade in the same classification of service when such lower classification or grade contains any eligibles who have taken a promotional examination. Promotion shall be accomplished by means of a competitive examination and, except for special training and knowledge gained within a department as a prerequisite to the proper filling of a vacancy, shall be open to employees regardless of department. The Civil Service Commission, at its discretion, may provide for simultaneous open and promotional examinations with provision for certifying promotional candidates first.

Section 3. Notice.

Notice of promotional examination shall be posted in the office of the Commission as well as forwarded to departments and divisions. Such notice shall give the character of the examination. Notices shall fix the period in which applications will be received.

Section 4. Filing.

Applications for promotional examinations shall be made upon a form provided and furnished by the Commission, and shall be filed in the office of the Commission before expiration of the filing period.

Section 5. Eligibility.

To be eligible to enter a promotional examination for, or receive promotion, an employee must have completed the necessary service requirement, as stated in the examination announcement.

Section 6. Examinations.

The rules governing promotional examinations shall, except as herein provided, be the same as for original entrance examinations. Where positions require special physical fitness the Commission may cause a special investigation of eligibles to be made to determine whether they continue to meet the required physical standards.

- (a) Answer Sheet Inspection. A candidate may review the scoring of his own answer sheet for a period of one (1) month from the date of the official notice of results of a written examination, in the Civil Service Office during regular business hours. Such review will not allow the candidate to study the test questions, only the actual answer sheet of the candidate with the scoring key.
- (b) Protest of Questions. Upon conclusion of an examination and prior to leaving the exam site, candidates may file a written protest of exam questions believed not to be related to the job, questions that are not clear, or questions where more than one (1) or none of the answers to choose from is correct.

Section 7. Eligibility Lists.

Rules governing the establishment of promotional eligible lists shall be the same as provided for original entrance lists; except, when two (2) or more applicants have the same rating, then preference on the eligible list shall be determined by their classification seniority.

Section 8. Promotion Evaluation.

An evaluation of an employee’s job performance may be a subject in promotion examinations if the performance evaluation model is approved by the Commission.

Section 9. Seniority Credit. (Revised 06/26/97 & 03/24/05)

- (a) Credit shall be given to allow seniority credit to be given on examination scores for length of continuous employment for those employees hired from a Civil Service Commission list. Lines of progression shall be determined by Civil Service Career progression charts. Credit shall be computed by adding to a passing score as follows:

For each full year of continuous service completed up to a maximum of ten (10) years
.....0.2 points per year

- (b) Reno Fire Department uniformed employees with the Fire Emergency Operations and Fire Community Risk Reduction programs shall receive seniority credit computed by adding to a passing score as follows:

For each full year of continuous service completed after current minimum qualifications eligibility, up to a maximum of fifteen (15) years 0.2 points per year

The Reno Fire Department employee classifications to be given credit for up to a maximum of fifteen (15) years of continuous service are: Firefighter, Fire Equipment Operator, Fire Captain-Suppression, Fire Captain-Training, Fire Battalion/District Chief, Fire Prevention Officer, Fire Prevention Inspector, Water Supply Inspector, Fire Captain-Prevention, Fire Protection Plans Examiner, Fire Protection Engineer, Fire Equipment Mechanic, Fire Equipment Superintendent. (Revised 08/23/01)

Section 10. Request for Certification.

The rules governing request for certifications, and certifications for promotion, shall be the same as provided in Rule VII.

Section 11. Action by Appointing Officer. (Amended 02/15/95)

The procedure for selection shall be the same as that provided in Rule VII Sections 3 and 4 and in addition the appointing officer shall fill each vacancy in the following order of preference:

FIRST: From the highest available eligibles from within his/her own department or division.

SECOND: From the highest available eligibles from the promotion list as a whole when no appointment is made from eligibles from the department in which the vacancy exists.

Section 12. Notice of Appointment.

The rules governing notices, waivers and declinations for promotion shall be the same as provided in Rule VII, Sections 4, 5 and 6.

Section 13. Limited Term Appointments. (Added 11/21/95)

- (a) Upon approval by the Civil Service Commission, limited term promotional appointments may occur to fill vacancies which are anticipated to have durations longer than six (6) months, but may not be permanent. In those cases, a promotional appointment may be made on a "limited term" basis. Employees appointed to limited term vacancies will remain in the classification consistent with Civil Service Rules, contingent upon an event which may or may not occur. Contingent events may include, but are not limited to, the following situations:
- 1) A promotional vacancy occurs when an employee is placed on long term leave for illness, injury, or pending final disposition of criminal charges.
 - 2) A promotional vacancy occurs when a position is temporarily authorized and funded and is anticipated to last in excess of six (6) months.
 - 3) A promotional vacancy occurs when an employee challenges a termination or demotion, such challenge is anticipated to last more than six (6) months, and may result in reinstatement to the position.

A request by the appointing authority for certification of the list of eligibles for a limited term promotional vacancy must indicate in writing that the vacancy is limited term. The contingent event and the reason for requesting a limited term appointment must be provided with the request for the list of eligibles. Limited term appointments must be based on specific reasonable circumstances which prevent permanent appointments.

- (b) If a contingent event occurs, an employee in a limited term appointment, whether probationary or confirmed, may displace another employee in that classification who has less seniority in that classification. If no other employee in that classification has less classification seniority, the employee shall be returned to the previous classification held, provided the employee does not displace any employee with greater classification seniority. In addition, the employee shall be placed on the laid-off list for the classification from which he or she was removed. Should no position exist in the classification previously held, the employee shall be appointed to a vacant position in the next lower classification and be placed on the laid-off lists until a vacancy occurs in either the classification to which the employee received a limited term appointment or the next lower classification previously held.

RULE IX. DEMOTION

Section 1. Cause.

Upon a showing of inefficiency, incapacity, or misconduct, the City Manager may for cause demote an employee by filing with the Commission a notice of such demotion together with a statement detailing the causes. A copy of this shall be given to the employee. The demoted employee shall have right of appeal and shall be given an opportunity for a hearing as provided in Rule XIV. An employee so demoted shall lose all prior rights to the higher Civil Service class. If previous Civil Service status in the lower classification has not been attained, such demotion shall not displace any other permanent or probationary Civil Service employee, and the demoted employee shall be returned to the last classification in which status was attained. (Amended 3/23/06)

Section 2. Probation.

Upon a showing of unsatisfactory performance during the probationary period, the appointing officer shall return a probationary employee to a former classification as prescribed in Rule VII, Section 11(h), provided no employee with greater classification seniority shall be displaced. Should no position exist, the employee shall then, at his option, either be appointed to a vacant position in the next lower classification or placed on the laid-off list.

Section 3. Lack of Work.

When it becomes necessary to effect a reduction in force because of lack of work or funds, the appointing authority shall accomplish such reduction in the order prescribed in Rule XII, Section 5. (Amended 3/23/06)

Section 4. Voluntary.

An employee, upon his own initiative, may request reduction to a vacancy in a previously held classification or any lower classification in the normal line of progression.

The appointing officer shall obtain a written request for such action from the employee and shall indicate approval prior to forwarding it and the notice of change to the Commission and the City Manager. Such reduction shall be without prejudice to the employee's future status and the employee shall be entitled to credit for previous service in the lower classification. No further reference to the Commission need be made prior to effecting the reduction. PROVIDED: Such reduction shall not displace any permanent or probationary employee.

RULE X. TRANSFER

Section 1. General.

Transfers shall be subject to approval by the Commission and have the concurrence of both the losing and gaining departments. Notice of all transfers shall be filed with the Commission by both the losing and gaining departments prior to the effective date of such action. Classification seniority for promotional purposes shall not be affected and will be retained in the Civil Service records for the particular classification carried. PROVIDED: This rule does not apply to promotions of certified eligibles appointed from a position in one department or division to a higher position in another department or division.

Provided further: Involuntary transfers of employees due to consolidation or transfer of functions from one department to another department shall have no effect on the departmental seniority of the transferred employee.

Section 2. Transfers Permitted.

- (a) Transfer, in lieu of layoff, may be made to a position in the same classification in a different department or division, providing the employee consents to such transfer and, further, that a permanent or probationary employee is not displaced.
- (b) When the position held by an employee is reclassified which involves a change in grade and the employee elects to retain the original classification, the employee shall so notify the Commission in writing and will then be transferred to the first available vacancy in the original classification. When such transfer is to another department or division, departmental seniority shall be forfeited and the employee shall be placed in the junior position on the new departmental seniority list for that job classification.
- (c) In the event that classified employees, whether probationary or confirmed, are injured in the line of duty and are no longer able, as a result of the injury, to perform the duties for which originally hired, the Human Resources Department and the Commission, working with the State Industrial Insurance System, shall make every effort to find other meaningful permanent assignments for those employees in the City's work force. Rehabilitation, training, waiving of minimum qualifications and testing without opening up a classification will be allowed if the Commission deems it appropriate to do so, in order to accommodate such employees injured in the line of duty. Each case will be considered on an individual basis by the Commission. Under no circumstances would employees in this circumstance displace any probationary or permanent employees.

Section 3. Employment by City of Reno of Employees of Agencies, Organizations or Governmental Entities whose Functions Have Been Assumed by the City of Reno.

- (a) If the City of Reno assumes in whole or in part the function of an agency, organization or governmental entity, an employee who is performing that function for the agency, organization or governmental entity at the time of the assumption and who will be performing a substantially similar function for the City of Reno immediately following the assumption may, upon recommendation of the City Manager or his delegate, and if approved by the Commission be included within the City's Civil Service without examination.
- (b) All persons transferred under the provision of this section shall be placed on a probationary status for a period of time established for similar classification within Civil Service. Upon request made by the City Manager or his delegate, the Commission may consider and waive

the probationary requirement provided that the person(s) has/have satisfactorily held a position within the agency, organization or governmental entity for a period of one (1) year or longer. Employment of persons by the agency, organization or governmental entity shall be treated as the equivalent of City Service. The transition from service with the agency, organization or governmental entity to the City shall not be deemed as a break in continuous service for the purpose of administration under the Civil Service Rules and Regulations. However, the length of continuous service shall be adjusted based on criteria of the Civil Service Rules and Regulations. (Amended 12/17/98)

RULE XI. SUSPENSION, DISCIPLINE AND DISCHARGE

Section 1. General.

An employee in the classified service may be suspended, disciplined, demoted or discharged only by the City Manager or the City Manager's delegate or the Civil Service Commission. Such action shall result in termination unless a hearing is requested as set forth in these rules.

No employee who is classified as an exempt employee for purposes of the overtime provisions of the Fair Labor Standards Act, may be suspended without pay in such a manner, or for such a period of time as would cause the loss of exempt status for that employee. (Added 10/27/93)

PROVIDED: No employee may be disciplined twice for the same act. If an employee pursues resolution through a collective bargaining unit, no appeal of the same act sanctions will be allowed.

Notice of the action, together with a full statement of the reasons, shall be filed with the Commission and a copy thereof served upon the employee, who may within ten (10) calendar days from the date of the filing of such order with the Commission or from the date of service of such order on the employee, whichever is later, appeal such action to the Commission.

Section 2. Appeal.

Any civil service employee who is the subject of an action by the City Manager, or the City Manager's delegate, which would result in a suspension or discipline of greater than three (3) days, a reduction in rank, or discharge may appeal such action to the Commission.

Section 3. Hearing.

The Commission shall conduct hearings as provided in Rule XIV. The action taken by the City Manager or City Manager's delegate shall stand unless modified or revoked by the Commission. (Amended 3/23/06)

Section 4. Causes.

Merit principles of employment shall be the primary consideration in any disciplinary action. Employees may be disciplined only for actions which would affect their ability or fitness to satisfactorily perform their assigned duties. Non-merit factors such as race, creed, color, affiliation, national origin, or sex may not be considered. The following conditions are compatible to the principles of merit and may be considered as cause for any classified employee to be suspended, discharged or otherwise disciplined.

- (a) Has been absent from duty without approved official leave contrary to the Civil Service Rules or the City personnel regulations, or has failed to report after any such leave has been officially disapproved or revoked.
- (b) Has willfully or corruptly, singly or in cooperation with one (1) or more persons, defeated, deceived or obstructed any person with respect to the right of examination; or has willfully or corruptly furnished to any person so examined any special or secret information for the purposes of either improving or injuring the prospects or chances of persons so examined, or to be examined, being examined, employed or promoted in the operation of the Civil Service and Human Resources program of the City.
- (c) Is inefficient in the performance of the duties and responsibilities of a position held in the classified service.

- (d) Is careless or negligent in the use of the property of the City; and such carelessness is documented and proven.
- (e) Any willful violation of the Charter, these Rules, any written departmental rules or procedures, or of any reasonable and lawful order of direction made and given by a supervisor, where such violation or failure to obey amounts to an act of insubordination or a serious breach of proper discipline, or resulted or might reasonably be expected to result in loss or injury to the City, or the public, or to the prisoners or wards of the City.
- (f) Has committed an act or acts that would tend to embarrass or discredit the City, whether such acts were committed while on or off duty.
- (g) While on duty, if an officer or an employee has aided in any manner in soliciting or collecting money from an officer or employee of the City for any purpose prohibited by the City Charter or these Rules; providing, contributions solicited for approved purposes by the City Charter must be voluntary and no discrimination shall be permitted against an employee engaged in such acts.
- (h) Has engaged, while in uniform or on duty, in the solicitation of funds or sale of tickets for any purpose except as provided in (g) above.
- (i) Has used or threatened to use or attempted to use political influence in securing promotion, leave of absence, transfer, change of grade, pay or character work.
- (j) Has taken an active part in political management or in political campaigns for elective office during working hours; provided, however, nothing herein shall be construed to affect the right of any employee to vote and to express privately opinions on all political subjects.
- (k) Has been convicted of a felony or a gross misdemeanor.
- (l) Excessive absenteeism or habitual pattern of failure to report for duty on time without good and sufficient reason.
- (m) Has committed, or has induced or has attempted to induce an officer or employee of the City, to commit an unlawful act or to act in violation of any reasonable and lawful departmental or official regulation or order, or has taken any fee, gift or other valuable thing in the course of work or in the connection with it, for personal use from any citizen, when such gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other citizens.
- (n) The employee has violated any standard governing the conduct of employees as set forth in the Code of Ethics, Reno Municipal Code, Section 2.21.110 et seq. (See Appendix "A")
- (o) Has been guilty of maligning any other employee of the City, or making any false or unwarranted statements against such employees, provided that this clause does not apply where such employee in good faith prefers such charges in writing against another employee with a view of having said employee brought up for hearing before the Commission on such charges.

Section 5. Administrative Leave without pay.

Any employee who has been formally charged with a felony or gross misdemeanor may be placed upon administrative leave without pay pending court trial determination. If the employee is found not guilty of the charge, that employee may be restored to duty and, if restored, shall then be entitled to all back salary, allowances and benefits due.

RULE XII. REDUCTION IN FORCE

Section 1. General. (Added 04/22/04)

Whenever in the judgment of the City Council it becomes necessary to reduce the staff of any City department, such reduction of staff shall be accomplished pursuant to the rules adopted by the Commission designed to encourage interdepartmental transfers and other procedures tending to minimize the impact of layoffs. In other words, for reasons of economy or due to a lack of work or funds, the City Council may through the budgetary process, or otherwise, abolish certain positions and/or reduce the number of City employees. When any such action causes a layoff of a civil service employee, the selection of those to be laid off shall be made under the following parameters:

- (1) To decrease the work force in any department, the appointing authority shall specify to the Commission the number and classification of employees to be laid off, together with the department in which the layoff is to be made. The Commission shall then determine, under this rule, the particular employee(s) to be laid off, and advise the appointing authority of its findings.
- (2) For purposes of this rule, the term “layoff” shall include removal from City employment, re-assignment to a former classification or assignment to a substantially similar classification, and reduction from full-time to part-time status.
- (3) For purposes of this rule, the term “probationary employee” includes an employee who is not confirmed in a position within civil service, with the single exception that a probationary employee that is not confirmed in the classification currently assigned, but was confirmed in another civil service classification immediately prior thereto may be eligible to seek a transfer pursuant to Rule X in lieu of layoff. If the transfer is approved, then the probationary employee shall be treated as a regular employee holding the classification transferred into.
- (4) For purposes of this rule, the term “regular employee” is an employee that has been confirmed and is not a probationary employee as that term is defined in the preceding paragraph and includes a “provisional employee” and a “promotional probationary employee.” A “provisional employee” shall be returned to their official classification, the length of service seniority calculation in the provisional position shall be determined per Rule VII.12. (c).

Any interruption of employment not in excess of thirty (30) calendar days because of adverse weather conditions, shortage of materials or equipment, or for other unexpected or unusual reasons, provided that such interruption of employment is approved by appointing authority and the Commission during which the employee receives no pay, wages or salary shall not be considered a layoff.

Section 2. Order of Layoffs. (Added 04/22/04)

Layoffs in each classification shall be made in the following order: first, probationary employees and second, regular employees.

- (1) Probationary employees shall be laid off prior to layoff of a regular employee. Probationary employees are “at will” employees and have no civil service rights including, but not limited to, rights of seniority, displacement, reinstatement, and appeal.
- (2) Regular employees shall be laid off after probationary employees. When one or more regular employee(s) must be laid off, those who are laid off shall be those with the lowest seniority under these Rules. However, the Commission may, upon the recommendation of the appointing authority, order the layoff to be effective City-wide or confined to one or more departments if, in its judgment, the best interests of the City will be served.

- (3) A regular employee who has a right to displace another employee pursuant to Section 5, below, will be transferred to fill the position made vacant by the layoff of the employee with the lowest seniority. Displacement rights do not preclude lay off of the transferred employee if the classification transferred to is affected by a layoff.

Section 3. Seniority in Layoffs. (Added 04/22/04)

Seniority in layoffs will be determined as follows:

- (1) Classification seniority shall be the primary factor in determining a reduction in force. The term “classification seniority” shall refer to total length of service in a particular classification, including the probationary period. Classification seniority in layoffs shall be calculated by adding together all time served by the employee in the classification after confirmation of such employee in the classification by the Commission. Classification seniority shall not include time under a disciplinary suspension.
- (2) In the event two or more employees have the same classification seniority, department seniority shall be the next determining factor. The term “department seniority” shall refer to the total length of service in the department assigned to at the time of the layoff. The person who has the least time spent in the department shall be laid off first.
- (3) In the event two or more employees have the same classification and department seniority, city seniority shall be the next determining factor. The term “city seniority” shall refer to the total length of service served for the appointing authority. The person who has the least time employed (this means time spent in a department in accordance with civil service calculations) by the appointing authority shall be laid off first.
- (4) Lastly, in the event two or more employees have the same seniority in classification, department and city seniority, a random number, that is electronically generated, will be assigned to each employee, and the employee receiving the highest electronically generated number will be laid off first, and then the order of lay off shall continue in descending order of assigned random numbers.

The person with the least seniority under this rule shall be laid off first except that this provision shall not apply in the event layoff action is taken in connection with an administrative leave of absence in accordance with Rule XIII, Section 4(e).

Section 4. Notice of Layoff. (Added 04/22/04)

Notice of any layoff shall be made by the appointing authority by delivering a letter to the employee to be laid off providing a minimum of ten (10) working days notice prior to the effective date of the layoff. The letter shall be copied to the Commission. The letter is to inform the employee of the decision to lay off the employee. Although personal delivery is preferred, it is not required for notice to be effective. If any employee affected by the layoff cannot be located for personal delivery, the letter containing the layoff notice may be mailed by certified mail to that employee’s last known address as shown in the employee’s records in the payroll files of the appointing authority. If the layoff notice is mailed as provided in this section, the ten (10) working day notice period shall commence upon the date of mailing of the notice, not the date of receipt of the notice.

Section 5. Reduction in Grade and Displacement of Another Employee. (Added 04/22/04)

At the time of the layoff, a regular employee shall at their option be reduced to the next lower classification within the department or they maybe transferred as provided in Rule X. Notwithstanding

the foregoing, this reduction or transfer shall not displace another employee with greater seniority, as defined in Section 3 of this Rule. Further, the reduction or transfer must be to a classification in which the employee previously held status or a classification in which a vacancy exists and for which the knowledge, skills, and abilities are similarly related to those required in the employee's present classification. The analysis of whether the knowledge, skills, and abilities are related to those required in the employee's present classification is within the authority and discretion of the Commission or its designee. A request for this analysis must be filed with the Chief Examiner prior to the effective date of layoff. The Chief Examiner will review the request and make a determination if the knowledge, skills and abilities are similar or related. This decision will be made within ten (10) calendar days following the filing of the request. Review of the decision of the Chief Examiner by the Commission may be conducted as set forth in Section 7 of this Rule.

Section 6. Placement of Names on the Reinstatement List. (Added 04/22/04)

On the date a layoff becomes effective, the Chief Examiner shall cause the names of laid off regular employees to be placed, in inverse order of layoff (that is the last person laid off shall be the first person on the reinstatement list) on the reinstatement list established by the Chief Examiner for all classifications from which they were laid off. When a reduction in the work force results in the layoff of an employee who had acquired confirmed status in a former classification and such employee is on the top of the reinstatement list, he or she shall be recalled to his/her former classification and shall have precedence or priority over all others in certification for recall for appointment to the department from which laid off; however, a person may be transferred to another department if recommended by the appointing authority and approved by the Civil Service Commission. If no reinstatement list exists, the names of such employees shall constitute the reinstatement list. A name shall be dropped from the reinstatement list(s) after three (3) years from the date it is placed thereon. The Civil Service Commission shall notify the employee via certified mail at the address of record that he/she is being dropped from the list.

Section 7. Reinstatement Procedure. (Amended 04/22/04)

Upon receipt of a request for certification from a department or division, the same number of names will be certified from the laid off register of that department or division as the number of vacancies to be filled. The appointing officer shall have no choice in the appointment and shall appoint the persons so certified within ten (10) calendar days of the certification. If for good and sufficient reason the appointment is not made within ten (10) calendar days, the appointing officer shall so notify the Commission in writing through the City Manager with reasons therefore. Upon acceptance of such notice, the Commission shall withdraw the certification and the position shall be declared vacant and not to be filled until such time as the appointing officer again requests certification.

Section 8. Objection To and Appeal of Layoff. (Added 04/22/04)

Any regular employee subject to lay off may object to his/her layoff only on the following grounds:

- (1) the seniority calculation was incorrect,
- (2) the layoff action was the result of an improper or illegal employment practice, and/or
- (3) the determination of the knowledge, skills and abilities similarity conducted by the Chief Examiner is incorrect.

The regular employee objecting to the layoff may only do so by filing an appeal with the Commission within ten (10) calendar days after being served with a notice of layoff pursuant to Section 4 of this Rule. The Commission shall then hear the appeal and proceed in the same procedural manner it would for a hearing under these Rules. After such hearing, the Commission shall make a final determination on the merits of the objection(s) raised by the employee pursuant to this section. If such employee fails to timely file an appeal with the Commission objecting to his/her layoff, all appeal rights are extinguished.

and the layoff shall be effective as of the date specified in the notice of layoff. Notwithstanding the foregoing, the Commission may use its discretion to correct an error in seniority calculations at any time and may make appropriate adjustments in an order of layoff or a priority list ranking due to such correction.

Section 9. Out of Order Layoff. (Added 04/22/04)

After receiving a written request from the appointing authority, the Commission may grant permission for layoff out of the regular order by evaluating the rationale for an out of order layoff and upon showing by the appointing authority or department of a necessity therefore in the interest of efficient operation of the department or City and after giving the affected employee an opportunity for a hearing.

RULE XIII. RESIGNATION, RETIREMENT, LEAVE OF ABSENCE

Section 1. Resignation.

- (a) An employee in the classified service who wishes to leave City employment in good standing shall file with the appointing officer, at least two (2) weeks before leaving, a written resignation which shall contain the reason for leaving and the effective date. Failure to comply with this procedure may be considered cause for denial of future employment with the City. The appointing officer shall forward notice of such resignation to the Commission through the City Manager on the prescribed form prior to the effective date thereof.
- (b) An individual who has resigned or taken a voluntary demotion in good standing from a position in the Civil Service of the City of Reno and who desires placement on a re-employment list may, within three (3) years of the resignation or demotion, submit a written request to the Commission for re-employment in any classification(s) previously held in which the individual had obtained confirmed status. An individual seeking re-employment must provide a new application and meet the current minimum qualifications for the classification for which re-employment is sought. Further, prior to employment an individual must satisfy any pre-employment screening criteria established for the subject classification. Upon approval of the request by the Commission, the name of the applicant will be placed on the re-employment list for such classification, subject to the following conditions. Placement on the re-employment list will be for an eligibility period of one (1) year from the date of Commission approval. Eligibility may be extended for up to an additional three (3) years provided the individual re-applies each year before the expiration date of the individual's last eligibility period. A re-employment list may be certified to the Department or Division only when the open competitive list is also requested by the Department or Division, except that in instances where an open competitive list has not been established, the Department or Division may request the re-employment list in the absence of an open competitive list. Individuals who are appointed from the re-employment list under this rule shall serve a new probationary period pursuant to these Civil Service Rules and Regulations. A former City employee whose name is on a laid off list under Rule XII, Section 7, may, prior to the expiration of the three (3) year period on the laid off list, request to be placed on the re-employment list, pursuant to the provisions of this Rule. (Amended 07/10/96, 10/17/96 & 3/23/06)

Section 2. Retirement.

Retirement of employees shall be as provided by state law and city ordinances.

Section 3. Re-employment after Disability Retirement.

A former employee retired for disability will be restored to duty in the same or similar classification held at time of disability retirement providing certification in writing is made to the Commission by the board of the appropriate pension or retirement system, and in accordance with the applicable law or ordinance, that the employee is capable of performing the duties of that classification. Reemployment shall be in the same department or division from which retired. Should no vacancy exist, the person with least seniority in that classification in that same department or division shall be reduced to the next lower classification, or transferred, and placed on the layoff list as provided in Rule XII. Should the pension or retirement board certify the employee as capable of performing the duties of a lower classification, appointment shall be made to the first available vacancy in said lower classification. (Amended 3/23/06)

Section 4. Leave of Absence.

- (a) This section does not apply to leaves of absence requested for active duty or for military training by National Guard members or military reservists. Such leaves shall be governed by the City Manager's policy as approved by the Civil Service Commission, and the granting of such leave shall not affect accrual of seniority or other civil service rights.
- (b) It shall be the responsibility of the City Manager to advise the Commission on all leave matters which may affect the civil service status of any employee.
- (c) Ordinary vacation and sick leave shall be accrued and granted in accordance with the provisions of the applicable ordinances and the city personnel program and regulations. The granting of such leave shall not affect an employee's civil service rights.
- (d) Special leave of absence may be granted in accordance with applicable ordinances and the city personnel program to employees with over one (1) year continuous service immediately preceding date of leave; provided, this limitation shall not apply in case of on-the-job injury or urgent necessity; however, substantiating proof must accompany any such request for leave. Leave of absence in excess of fifteen (15) consecutive calendar days shall be without accrual of classification seniority and the total number of days leave taken shall be deducted from the employee's seniority date. Leave of absence shall not be recognized by the Commission as becoming effective until approved by the employee's appointing officer and by the City Manager. Any employee who departs on leave of absence prior to receiving approval of the appointing officer and the City Manager may be considered to be absent without leave and subject to immediate discharge. (Amended 10/16/00)
- (e) Leave of absence extending beyond a period of ninety (90) days may be considered cause to place the employee on the laid-off list; provided, this provision shall not apply to those on educational leave or who accept an appointive position in the City, or as otherwise approved by the Commission. At the expiration of the ninety (90) day period, the appointing officer shall determine whether the employee should be placed on layoff status and shall so notify the Commission through the City Manager. In the event of layoff, the provisions of Rule XII pertaining to reinstatement shall apply. (Amended 03/23/94 & 04/22/04)
- (f) Leave of absence shall be granted only for that period of time which is necessary to accomplish the purpose of the request and the employee must report for duty immediately upon expiration of such leave. Failures to report for duty at the expiration of leave, or if a leave has been disapproved or revoked, may be considered cause for separation from the service. Upon expiration of leave of absence the employee shall, if still qualified, resume the former position or if promoted, the position to which promoted under the conditions set forth in Rule VII, Section 4.
- (g) The Commission does not wish to discourage classified employees from political activities on their own time. However, for the best interests of the City, certain conditions must be met when employees wish to file for a paid, political office. Potential candidates must, before filing, notify the City Manager of their intention to run for political office. Employees shall request a leave of absence without pay, use annual leave or compensatory time for furthering their candidacies, but under no circumstances may they campaign or solicit support during on-duty working hours, nor may they use their positions with the City to advance their candidacies. Off-duty political activities must not impair the employee's performance of duties for the City. Sick leave shall not be used in conjunction with the employee's political activities.

Should employees be elected to a paid, public political office, they shall request a leave of absence, use annual leave or compensatory time to fulfill their responsibilities in office during the entire term of office, or for whatever specific time or times their presence is required in office. Under no circumstances may employees elected to such an office perform the duties of that office while on duty for the City.

RULE XIV. APPEALS, CLAIMS, COMPLAINTS

Section 1. Authority of Commission.

The Commission shall have the authority over and be responsible for all phases of the selection, appointment and promotion of employees in the Civil Service, for the appeal rights of such employees in regard to actions by the City Manager or the appointed delegate to dismiss, demote, suspend or discipline for a period of greater than three (3) days, and for the transfer of employees, together with all responsibilities assigned to the Commission by this article.

- (a) Verified charges may be filed with the Commission setting forth cause for disciplinary action against Civil Service employees by any resident of the City. The Commission may conduct investigations and hold such hearings as it deems appropriate to determine the facts. If the Commission finds the charges true, it may order the suspension, dismissal or discipline of the employee.
- (b) The Commission on its own initiative may conduct investigations and hearings with respect to violations of Article IX or Commission Rule XI and impose such sanctions as it deems appropriate. (Amended 3/23/06)

Section 2. Investigation.

All claims or complaints shall be in writing. The Commission, if it deems advisable, shall cause a preliminary investigation of any complaint or claim so presented. During the course of such investigation, the duly appointed officer of the Commission shall have authority to administer oaths, require the production of relevant books or records, and the attendance of any officer, employee or other person. In the event such investigation does not resolve the matter satisfactorily, a written report shall be rendered as guidance to the Commission in the conduct of a formal hearing. In case the Commission orders such a hearing, it shall set a time and place for the same and notify the parties involved and the City Manager.

Section 3. Claims.

The claim of any person whose name appears on an eligible list, or who has been deprived of, or separated from, a position to which entitled, or the complaint of any employee or a representative regarding conditions of Civil Service employment, may be presented to the Commission for investigation. A claim must be filed with the Chief Examiner not later than ten (10) days following the effective date of such layoff. Should the investigation, as provided by Section 2, above, result in a hearing, then the procedure as set forth in Section 7, following, shall prevail.

Section 4. Administrative Complaints.

Any employee in the classified service who desires to claim exemption to an administrative action of the Commission which affects status, to include the contents or procedures of an examination, may present such complaint direct to the Commission. All such complaints must be in writing and filed with the Chief Examiner within ten (10) working days of notification of the action by the Commission or upon completion of the examination review period, except as otherwise provided by these rules, and except further than in the case of a departmental disagreement regarding classifications the time limit does not apply. Failure to file within the prescribed time shall be considered as acceptance of the action of the Commission and the action shall be deemed complete. Such complaints shall not be subject to the formal appeals procedure. Should the Commission grant review of a complaint, it shall do so in any manner it deems most appropriate. Any required hearing shall be under the provision of Section 7, following.

Section 5. Appeals.

Any employee in the classified service who has been suspended for a period of greater than three (3) working days, reduced in rank or discharged may appeal such action to the Commission. All appeals must be in writing and filed with the Chief Examiner of the Commission within ten (10) working days from date of filing of such order with the Commission or from date of service of such order on the employee, whichever is later. The Commission shall provide a copy to the City Manager of any appeal so filed. Failure to file within the prescribed time shall be considered as acceptance of the action and the action shall be deemed complete.

Section 6. Appeals Procedure.

Upon receipt of an appeal, the Commission shall set a date of hearing to be held not less than five (5) calendar days nor more than fifteen (15) calendar days after filing of the appeal; except in those cases of the administrative leave without pay involving court charges (see Rule XI, Section 5), in which event the Commission shall, upon its own volition or at the request of the City Manager, delay such hearing pending disposition of the charge or charges. The hearings must be reported and may be transcribed if a transcript is necessary for a deliberation of the Commission or for an appeal to the district court. The Commission shall transmit its decision in writing to both parties within seven (7) calendar days after the hearing. No member of the Commission shall permit any person to discuss the merits of an appeal prior to the hearing.

Section 7. Hearings.

Hearings by the Commission shall be open to the public unless specifically requested to be closed by the employee or on the Commission's own motion. Hearings shall be informal with technical rules of evidence not applying except the rules of privilege recognized by law. In all appeals to the Commission, the office of the City Attorney shall represent the interest of the City. All parties to the hearing shall be notified in advance of such hearing, and may at their own expense select an attorney or representatives of their choosing, present and cross-examine witnesses and give evidence before the Commission. The Commission may, and shall at the request of either party, secure by subpoena the attendance of witnesses residing within fifty (50) miles of the City of Reno and to subpoena the production of books, records, and other evidence necessary and relevant to the hearing. The Commission may punish for contempt in the same manner provided by law for governing of trials before Justices of the Peace. However, any fees or expense of any kind for the appearance of such witnesses shall be in accordance with NRS 50.225, as amended or as may be amended. All testimony shall be under oath administered by the Commission or its agent. Hearings on appeal must be reported and may be transcribed if a transcript is necessary for a deliberation of the Commission or for an appeal to the district court. The Commission shall render its decision within seven (7) calendar days from the date of the hearing. No charges other than those furnished in writing shall be heard against the person so charged.

Section 8. Commission Action.

- (a) The action of the City Manager or the Manager's delegate to remove an employee in the classified service from employment shall become final unless appeal is filed and thereupon the action of the City Manager is affirmed, modified or revoked by the Commission. If the appeal results in tie vote of the Commission, which does not affirm, modify or revoke the action of the City Manager, the action of the City Manager shall be final. (Amended 02/27/97)
- (b) No employee shall be deprived of wages and benefits during the period of time the Commission, upon timely application by the employee, reviews the action of the City Manager or the Manager's delegate unless extraordinary and exigent circumstances exist

which, in the best interests of the City, require immediate suspension, discipline, discharge or layoff of the employee by the City Manager.

- (c) In no event shall the employee be deprived of any salary or wages for the period of time in which the Commission reviews the action of the City Manager through the appeal process delineated in this Rule unless the employee requests an additional period of time other than provided in these rules. If such a request for additional time is made by the employee, the Commission shall not grant such a request unless the employee waives the right to wages and benefits for the additional time requested.
- (d) The correction of an examination, rating or place on an eligible list shall not affect an eligible that has been certified from the register and interviewed and appointed. All challenges to the Commission regarding examination content or procedure shall be handled in accordance with Section 4, preceding.

RULE XV. RECORDS AND REPORTS

Section 1. Personnel Records.

- (a) The City Manager shall set up procedures for and supervise the maintenance within the departments for such employee records as are necessary for the proper adherence to these Rules, the City personnel program and applicable ordinances and laws. Such records shall be open to inspection by the Commission or its authorized representative.
- (b) Civil Service – The Commission shall maintain a personnel status record of each employee which shall contain, in addition to necessary personal history data, name, current address and telephone number, department and sub-unit to which assigned, classification of any position occupied with inclusive dates, appointing officer, salary received, length of service, results of examinations taken, any changes in status, and other pertinent information as deemed necessary to provide a complete history of city service. The Commission shall be the central repository for all classified personnel records, which shall include complete application forms, examination records, medical records, and any reports or correspondence which affect the employee as an individual.
- (c) All classified service records of the Civil Service shall be handled and administered as confidential records. These files shall contain a copy of action forms submitted by the originating and responsible officer.

Section 2. Reports.

- (a) Applicant and Eligible. It shall be the sole responsibility of each applicant for examination and each person on an eligible list for appointment to promptly report to the Commission the following information. Failure to do so shall constitute cause for rejection of application or removal from the eligible list, as appropriate.
 - (1) Any change in name, address and telephone number.
 - (2) Any failure or refusal to accept appointment or promotion with the reasons herefore.
 - (3) Any request for waiver of consideration for appointment or promotion with the reasons therefore.
- (b) Personnel. The Human Resources Department and the appointing officer shall report promptly to the Commission on the appropriate forms prescribed and furnished, and in the manner as elsewhere provided, the following information in regard to Civil Service personnel and departmental organization:
 - (1) Every appointment, transfer, promotion, demotion, reduction, layoff, suspension, reinstatement, leave of absence, and return to duty.
 - (2) Every termination from the service with the reasons therefore.
 - (3) Every refusal or neglect to accept appointment by a person whose name has been certified.
 - (4) Every rejection of an eligible certified from a promotion eligible list with reason therefore.
 - (5) The creation or abolition of any position and the cause of such action.
 - (6) Each injury of an employee while in the discharge of official duty, resulting in absence from work.
 - (7) Changes in departmental organization with a detailed chart of such organizational change.
 - (8) Any other reports requiring the action or sanction of the Commission.

- (c) Physical Examination. All reports of health examinations of Civil Service employees shall be filed with the Commission upon completion by the Health Officer or other authorized examining doctor or physician.
- (d) Organization Charts. The appointing officer shall have prepared and shall file with the Commission through the City Manager a chart covering the current organization and functions of the entire department. Minor revisions may be reported in memo form. Major revisions shall be cause for preparation and filing of a new chart.

APPENDIX A

RENO MUNICIPAL CODE

Chapter 2.20 – Code of Ethics for Public Officials

Section 2.20.110	Purpose and Intent.....	40
Section 2.20.120	Definitions.....	40
Section 2.20.130	General Requirements.....	42
Section 2.20.140	Additional Standards.....	43
Section 2.20.150	Advisory Opinions.....	44
Section 2.20.160	Enforcement.....	44
Section 2.20.170	Violations and Penalties.....	44
Section 2.20.180	Disclosure; Public Officers and Candidates.....	45
Section 2.20.190	Campaign Contributions and Expenditures; Reports Required	47
Section 2.20.200	Distribution of Code of Ethics Ordinance.....	49
Section 2.20.210	Severability	49

CHAPTER 2.20 CODE OF ETHICS FOR PUBLIC OFFICIALS, RENO MUNICIPAL CODE

Sec. 2.20.110 Purpose and Intent.

The City Council hereby finds and declares as follows:

- (1) The people have a right to expect from the elected and appointed representatives at all levels of government assurances of the utmost integrity, honesty and fairness to be assured in their dealings.
- (2) The people further have a right to be assured to the fullest extent possible that the private financial dealings of their governmental representatives and of candidates for those offices, present no conflict of interest between the public trust and private gain.
- (3) The representative form of government is founded upon a belief that those entrusted with the offices of government have nothing to fear from the full public disclosure of their business holdings as they pertain to the business before the city. To these ends, the City Council hereby enacts this chapter. The City Council hereby intends to sustain, to the extent necessary, public confidence in government at all levels, by assuring the people of the impartiality of their officials in all governmental transactions and decisions.

The provisions of this chapter are to be construed liberally to the end that the public interest be fully protected.

(Ord. 4506 §1, 4-25-95)

Sec. 2.20.120 Definitions.

For purposes of this chapter, certain words and phrases are defined and certain provisions shall be construed as hereinafter set forth unless it is apparent from the context that a different meaning is intended. Whenever any words and phrases used in this chapter are not defined in this section but are defined in the state laws regulating such matters, any such definition therein is deemed to apply for such words and phrases used in this chapter.

Business entity means any corporation, general or limited partnership, limited liability company, sole proprietorship (including a private consultant operation), syndicate, joint venture, unincorporated association of firm, institution, trust, foundation or any other organization whether or not organized for profit. Business entity does not include local, state or federal agencies or political subdivisions.

Campaign contribution means all donations of money, subscriptions, services in kind, pledges, loans, conveyances, deposits, payments, transfers, distributions of money or anything of economic value from all sources. "Service in Kind" means any donation of materials or professional services which would otherwise require payment, the name of any individual who solicits funds on behalf of a candidate and the name of any individual who volunteers more than ten hours of their time to the candidate's campaign.

Campaign expenditure means any and all expenditures, whether paid for directly, provided as an in-kind service or gift, contracted for or made for advertising on television, radio, billboards, posters and in newspapers, and all other expenditures, disbursed from the campaign account or contracted for or made to further direct the campaign of the candidate.

Candidate, for the purpose of this chapter, includes any individual seeking election or appointment as a public officer as defined below in this section:

- (1) Who files an affidavit of candidacy; or
- (2) Who files an affidavit to fill a vacancy for the position of a public officer.

City means City of Reno and Redevelopment Agency.

Confidential information means all information whether transmitted verbally or in writing, which is of such a nature that it is not, at the time, a matter of public record or public knowledge.

Family members means persons bearing the following relationship to the individual in question:

- (1) Parents;
- (2) Grandparents;
- (3) Great grandparents;
- (4) Children;
- (5) Grandchildren;
- (6) Great grandchildren;
- (7) Brothers and sisters;
- (8) Nephews and nieces;
- (9) First cousins;
- (10) Spouses;
- (11) Aunts and uncles.

Gift means anything of economic value in excess of one hundred dollars (\$100.00) but not including campaign contributions or gifts from a family member.

Interest, except as otherwise specifically provided, means direct pecuniary or other benefit accruing to a public officer, public appointee or city employee. For purposes of this chapter, a public officer, public appointee or city employee shall be deemed to have an interest in the business or affairs of (1) his or her spouse, child, or other family members; (2) any person or business entity with whom a contractual or business relationship exists with his or her spouse, child, or other family member; (3) any business entity in which his or her spouse, child, or other family member is an officer, director, member or employee; and (4) any business in which his or her spouse, child, or other family member controls or owns, directly or indirectly, one percent or more of the total outstanding stock.

Knowing or knowingly or knows means actual knowledge and “should have reasonably known: and such knowledge shall apply to and be imputed to the public officer, public appointee or city employee from his or her spouse and children.

Official act or action means any legislative, administrative, appointive or discretionary act of a public officer, public appointee or city employee of the city, board, committee or commission thereof.

Public appointee means any person appointed by a public officer to serve on any board, agency or commission charged with the responsibility of advising, recommending or setting policy.

Public officer means the mayor, city council members, city attorney, municipal court judges, planning commission members and board of adjustment members.

Real property means any interest in or option to purchase any interest in any real property in the Truckee Meadows, City of Reno and its spheres of influence, but not including the home in which the public officer resides.

Truckee Meadows, City of Reno and its spheres of influence means that area bounded generally by Virginia City-Mount Rose Highways on the south, Verdi and U.S. forest lands on the west, Reno city (Stead) limits on the north and Vista on the east.

Trust means a legal title of property held by one party, the trustee, for the benefit of another, the beneficiary.

(Ord. No. 4506, §1, 4-25-95)

Sec. 2.20.130. General Requirements.

The following ethical standards are hereby established to govern the conduct of public officer(s), public appointees and city employees:

- (1) A public officer, public appointee or city employee shall not seek or accept any gift, service, favor, employment, engagement, emolument or economic opportunity which would tend improperly to influence a reasonable person in his or her position to depart from the faithful and impartial discharge of his public duties.
- (2) A public officer, public appointee or city employee shall not use his or her position in government to secure or grant unwarranted privileges, preferences, exemptions or advantages for him or herself, any family member, any business entity, or any other person.
- (3) A public officer, public appointee or city employee shall not participate as an agent of government in the negotiation or execution of a contract between the city and any person or business entity in which he or she has an interest.
- (4) A public officer, public appointee or city employee shall not accept any salary, retainer, gift, augmentation, expense allowance or other compensation from any private source for the performance of his or her public duties.
- (5) A public officer, public appointee or city employee acquires, through his or her public duties or relationships, any information which by law is not at the time available to people generally, he or she shall not use the information to further the interests of him or herself or any other person or business entity.
- (6) A public officer, public appointee or city employee shall not suppress any governmental report or other document because it might tend to affect unfavorably his or her interests.
- (7) A public officer, public appointee or city employee shall not use governmental time, property, equipment or other facility for a nongovernmental purpose or to benefit his or her interests.
- (8) A public officer or city employee shall not attempt to benefit his or her personal or financial interest through the influence of a subordinate.
- (9) A public officer, public appointee or city employee shall not seek other employment or contracts through the use of his or her official position.

- (10) A public officer, public appointee or city employee shall not receive or acquire an interest in or an Interest affected by a contract, transaction, land use decision or other matter at a time when such person knows the interest will be directly affected by an official act or action of the city.

(Ord. No. 4506 §1, 4-25-95)

Sec. 2.220.140. Additional standards.

- (a) Except as otherwise provided in subsections (b) or (c), a public officer or public appointee may vote upon a matter if the benefit or detriment accruing to him or her as a result of the decision, either individually or in a representative capacity as a member of a general business, profession, occupation or group, is not greater than that accruing to any other member of the general business, profession, occupation or group.
- (b) In addition to the requirements of section 2.20.130, a public officer or public appointee shall not vote upon or advocate the passage or failure of, with respect to which the independence of judgment of a reasonable person in his or her situation would be materially affected by:
- (1) His or her acceptance of a gift or loan;
 - (2) His or her pecuniary interest; or
 - (3) His or her commitment in a private capacity to the interests of others.

It shall be presumed that the independence of judgment of a reasonable person would not be materially affected by his or her pecuniary interest where the resulting benefit or detriment accruing to him is not greater than that accruing to any other member of the general business, profession, occupation or group.

- (c) A public officer, public appointee or city employee shall not approve, disapprove, vote, abstain from voting, or otherwise act upon any matter:
- (1) Regarding which he or she has accepted a gift or loan;
 - (2) Which would reasonably be affected by his commitment in a private capacity to the interest of others; or
 - (3) In which he or she has a pecuniary interest, without disclosing the full nature and extent of the gift, loan, commitment or interest. Such a disclosure must be made at the time the matter is considered. If the public officer, public appointee or city employee is a member of a body which makes decisions, he or she shall make the disclosure in public to the chairperson and other members of the body.
 - (4) If a public officer or public appointee declares to the governmental body in which the vote is to be taken that he or she will abstain from voting because of the requirements of this section, the necessary quorum to act upon and the number of votes necessary to act upon the matter, as fixed by any statute, ordinance or rule, is reduced as though the member abstaining were not a member of the body or committee.

(Ord. No. 4506 § 1, 4-25-95)

Sec. 2.20.150. Advisory opinions.

- (a) When any public officer, public appointee or city employee has a doubt as to applicability of any provision of this chapter to a particular situation or as to the definition of terms used herein, such officer, appointee, or employee may apply to the city attorney for a formal opinion. The officer, appointee or employee shall have the opportunity to present his or her interpretation of the facts at issue and the applicability of provisions of the ordinance before such formal opinion is made. The city attorney may, where appropriate, refer the matter to the state ethics commission, the district attorney's office or to outside counsel if necessary.
- (b) Such opinion, until amended or revoked, shall be binding on the city, the city council and the city attorney in any subsequent actions concerning the public officer, appointee or employee who sought the opinion and acted on it in good faith, unless material facts were omitted or misstated in the request for a formal opinion. Such opinion shall not be binding in any action initiated by any private citizen.

(Ord. No. 4506 §1, 4-25-95)

Sec. 2.20.160. Enforcement.

- (a) The city attorney shall have the primary responsibility for enforcement of this chapter. The city attorney shall have the power to investigate any complaint, to initiate corrective action and to recommend any other appropriate action on behalf of the city where it believes such action is appropriate.
- (b) The city council may direct the city attorney's office to investigate or prosecute, through the city attorney, any apparent violation of this chapter or the council may employ or appoint any qualified attorney to investigate or prosecute any violation or series of violations by one or more persons of this chapter consistent with the provisions of the Reno City Charter.
- (c) Any person who believes that a violation of any portion of this chapter has occurred may file a complaint with the city attorney's office which may thereafter proceed as provided for under section 2.20.160 and 2.20.170. However, nothing in this chapter shall be construed to prevent complainants from filing a complaint with the state ethics commission or instituting direct legal action through the appropriate judicial authority.

(Ord. No. 4506 § 1, 4-25-95)

Sec. 2.20.170. Violations and penalties.

- (a) When a public officer or a candidate violates a provision of this chapter or fails to file any statement required under this chapter, or when such statement appears to be in violation of any provision of this chapter, the city clerk shall send written notice to such candidate or public officer for the purpose of obtaining compliance herewith, or a corrective or completion of such statement.
 - (1) If the city clerk is unable, within ten days following such notification, to obtain compliance, the clerk shall file a complaint with the city attorney.
- (b) Any candidate or public officer who fails to file the statements required under this chapter or refuses to correct or complete such statements is guilty of a misdemeanor.

- (c) Any public officer who willfully and knowingly violates any of the provisions of this chapter shall be punishable [punished] by a fine not to exceed \$1,000.00.
- (d) Any public officer who willfully and knowingly violates this chapter shall also be subject to removal from office pursuant to section 3.150 of the charter of this city.
- (e) Any contract, transaction, land use decision or other matter which was the subject of an official act or action of the city which involved the violation of the provision of this chapter shall be reconsidered at the next regular council meeting after discovery and shall be voidable at the option of the council.
- (f) Any city employee who willfully and knowingly violates this chapter may be subject to removal by his or her appointing authority.
- (g) Any candidate or public officer who willfully or knowingly falsifies any statement required under the provision of this chapter is guilty of a misdemeanor.
- (h) Any public appointee who willfully and knowingly violates this chapter shall be subject to immediate removal by his or her appointing public officer.
- (i) Where the violation of the provisions of this chapter is threatened or has occurred, the city attorney, district attorney's office or special prosecutor, as may be required, may bring a civil action or proceeding at law or in equity for a judgment enjoining the violation of the provisions of this chapter.

(Ord. No. 4506 §1, 4-25-95)

Sec. 2.20.180. Disclosure; public officers and candidates.

- (a) Form of statement; duty of city clerk. The city clerk shall prepare forms for statements and other information required by this chapter and shall furnish such forms and information free of charge for use by persons subject to the requirements of this chapter and shall notify each person required to file under this chapter. The city clerk shall notify the city attorney and public officer or candidate when anyone required to file a statement fails to do so within the prescribed time.
- (b) The city clerk and city attorney shall designate a member of his or her staff performing the clerical functions related to the review of the statements of disclosure pursuant to this section. Such statements shall be maintained as public records. The city clerk shall maintain all disclosure forms for a period of not less than six (6) years.
- (c) The city attorney's office;
 - (1) May adopt procedural regulations to facilitate the receipt of inquiries and prompt rendition of its opinions;
 - (2) Shall inform the city clerk of all cases of noncompliance with the requirements.
 - (3) Shall recommend to the city council such further changes as the city attorney considers desirable and necessary to promote and maintain the highest standards of ethical conduct and government.
- (d) Filing by public officer. All public officers shall file with the city clerk for review by the city attorney's office and the public by request, no later than the 15th day of April of each

year, under penalty or perjury, a disclosure statement for the immediately preceding calendar year (January 1st through December 31st). Such disclosure statement shall contain the information as set forth in subsection (g) of this section.

- (e) Filing by candidate. Each candidate for any city elective office shall file with the city clerk for review by the city attorney and by the public by request, under penalty of perjury, no later than May 15, 1995, and thereafter no later than the 10th day after the last day to qualify as a candidate for the office, a disclosure statement containing the information set forth in subsection (g) of this section.
- (f) Appointed public officer. Every public officer who is appointed shall file with the city clerk a statement of disclosure at the time of their application for appointment and thereafter no later than the 15th of April of each year. All such public officers shall file, under penalty of perjury, a disclosure statement for the immediately preceding calendar year (January 1st to December 31st). Such disclosure statement shall contain the information set forth in subsection (g) of this section. The city clerk shall place the disclosure statement in the public records. The city attorney shall review the disclosure statements and report their findings and concerns thereafter to the city council. During the course of their review, the city attorney shall have access to all disclosure forms previously filed by the public officer or candidate.
- (g) Information required. The following information is required:
 - (1) Name, address and phone number, if any, of the public officer.
 - (2) The length of residence in the state and length of residence in the city.
 - (3) The precinct in which the public officer is registered to vote.
 - (4) The principal address and general description of the business activity of any business with the City of Reno or within the County of Washoe in which the public officer or spouse or children, at any time during the immediate preceding calendar year:
 - a. Has had direct pecuniary interest;
 - b. Has served as an officer, director, member or employee;
 - c. Has controlled or owned, directly or indirectly, one percent or more of the total outstanding stock.
 - (5) In the case of a gift in excess of \$100.00, the amount and source of the gift and the date on which the gift was received if the donor does business with the city by appearing before the city council or appears on cash disbursement lists presented to the city council. Exception: Candidates need not comply with this requirement.
 - (6) The source or sources of each loan exceeding \$1,000.00. Exceptions: the mortgage on the residence of the public officer or candidate, a loan for the purchase of an automobile for private use or revolving balance, the source of which is a credit card.
 - (7) In the case of real property, a listing of all real property or interest therein, including options to purchase, located in the Truckee Meadows, City of Reno and its spheres of influence, together with the specific location, particular use and name, if any, by which said property is commonly known, whether said real property was owned outright or held in whole [or] in part under a business entity. Exception: city residence of a public officer or candidate.

- (8) Each source of the public officer's income, including the public officer's spouse and children or any member of his or her household. No listing of individual clients or customers is required, but if that is the case, a general source as "professional service" must be disclosed.
- (9) Whether the public officer or candidate has ever been convicted of a felony during the last fifteen (15) years. If yes, explain the circumstances.
- (10) Whether the public officer or candidate has filed bankruptcy within the last seven (7) years or has been subject to a debt collection judgment in federal, state or local court within the last three (3) years.
- (11) Whether the public officer or candidate has been subject to a judgment for child support arrearages within the last three (3) years.
- (12) The names and addresses of boards and commissions the public officer or candidate presently serves on except for any and all boards and commissions a public officer is appointed to by the city council.

(Ord. No. 4506 §1, 4-25-95)

Sec. 2.20.190. Campaign contributions and expenditures; reports required.

- (a) Every candidate for city office at a primary or general election shall report all campaign contributions on forms designed and provided by the city clerk and signed by the candidate under penalty of perjury, no latter than:
 - (1) Fifteen (15) days before the primary city election, for the period from thirty (30) days after the last election for that office up to twenty (20) days before the primary election;
 - (2) Fifteen (15) days before the general city election, whether or not the candidate won the primary election, for the period from twenty (20) days before the primary election up to twenty (20) days before the general election; and
 - (3) The fifteenth (15th) day of the second month after the general city election, for the remaining period up to thirty (30) days after the general election.
- (b) Every candidate for city office where there is no primary election shall file the reports not later than:
 - (1) Twenty (20) days before the general election, for the period from thirty (30) days after the last election of that officer up to thirty (30) days before the general city election; and
 - (2) The fifteenth (15th) day of the second month after the general city election, for the remaining period up to thirty (30) days after the general city election.
- (c) Every candidate for city office at a special election to determine whether a public officer will be recalled shall report his or her campaign contributions on forms designed and provided by the city clerk and on forms designed and provided by the secretary of state and signed by the candidate under penalty of perjury, thirty (30) days after the special election, for the period from the filing of the notice of intent to circulate the petition for recall up the special edition.

(d) Except as otherwise provided in subsection (3), every person who is not under the direction or control of a candidate or group of candidates or of any person involved in the campaign of that candidate or group who makes an expenditure on behalf of the candidate or group which is not solicited or approved by the candidate or group and every committee for political action which makes an expenditure on behalf of a candidate or group of candidates shall:

(1) Report the expenditure or contribution on the form designed and provided by the city clerk and approved by the secretary of state and shall sign the reports under penalty of perjury. Such reports shall be made:

- a. Fifteen (15) days before a primary election, for the period from thirty (30) days after the last election for that office to twenty (20) days before that election;
- b. Fifteen (15) days before a general election whether or not the candidate won the primary election, for the period from twenty (20) days before that election to twenty (20) days before the general election; and
- c. The fifteenth (15th) day of the second (2nd) month after a general election, for the remaining period up to thirty (30) days after the general election.

(2) The reports must be filed with the city clerk.

The city clerk shall file a copy of the report designed and provided by the secretary of state with the secretary of state within ten (10) working days after receipt of the report. The report designed and furnished by the city clerk shall be retained by the city clerk.

(3) The provisions of this subsection do not apply to a political party or committee sponsored by a political party.

(e) The report shall contain all the information set forth below:

(1) Name, address and phone number, if any, of the candidate.

(2) Each campaign contribution, whether from a natural person, firm, association, union, business, political action or other committee, or any other source must be separately identified with the name and address of the contributor and the date of the contribution, tabulated and reported in the form provided by the city clerk.

(3) Each campaign expenditure must include:

- a. For each expenditure of more than \$250.00;
 1. The category of the expenditure;
 2. The name and address of the person who received payment for the expenditure; and
 3. The amount and date of the payment for the expenditures;
- b. The total amount spent for each category of the expenditure;
- c. The total amount spent for all categories of expenditures.

(f) Reports of campaign contributions shall be made under penalty of perjury and filed with the city clerk. A candidate may mail his or her report to the city clerk by certified mail. If certified mail is used, the date of the mailing shall be deemed the date of filing.

(g) The city clerk shall retain each report for the public record at City Hall.

(h) In addition to the provisions of this section, candidates for city office must comply with the applicable provisions of Chapter 294A of the Nevada Revised Statutes.

(Ord. No. 4506, §1, 4-25-95)

Sec. 2.20.200. Distribution of code of ethics ordinance.

The city clerk shall cause a copy of this code of ethics ordinance to be distributed to every public officer or candidate as soon as possible after enactment of this chapter. Each public officer shall be furnished a copy before entering upon the duties of his office or employment.

(Ord. No. 4506 § 1, 4-25-95)

Sec. 2.20.210. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this chapter or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter or any part thereof. The city council of the City of Reno, Nevada, hereby states that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutionally invalid or ineffective.

(Ord. No. 4506 §1, 4-25-95)

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APPENDIX B

RENO CITY CHARTER, ARTICLE IX, CIVIL SERVICE

Section 9.010	Civil Service: Objectives.....	52
Section 9.020	Civil Service and Exempt Positions	52
Section 9.030	Civil Service Commission: Number, Appointment, Qualifications, Compensation, Terms of Members.....	52
Section 9.040	Commission Meetings.....	53
Section 9.050	Authority of Commission	53
Section 9.060	Rules.....	53
Section 9.070	Chief Examiner.....	53
Section 9.080	Leaves of Absence without Pay	53
Section 9.090	Transfer of Employees	53
Section 9.100	Reports of Employee Performance.....	54
Section 9.110	Agreements.....	54
Section 9.120	Blanketing into Civil Service	54
Section 9.130	Return to Civil Service	54
Section 9.140	Layoff.....	54
Section 9.150	Support	54
Section 9.160	Prohibited Acts.....	54
Section 9.170	Penalties	55
Section 9.180	Class Specifications.....	55
Section 9.190	Examinations, General	55
Section 9.200	Open and Promotional Examinations.....	55
Section 9.210	Assembled and Continuous Examinations	56
Section 9.220	Examination Scores.....	56
Section 9.230	Assistance in Examinations.....	56
Section 9.240	Eligible Lists	56
Section 9.250	Appointments	56
Section 9.260	Duties and Authority of City Manager.....	57
Section 9.270	Appeals to the Commission.....	58
Section 9.280	Disciplinary Authority of Commission; Judicial Review.....	58
Section 9.290	Salary of Suspended, Demoted or Disciplined Employee.....	59

CIVIL SERVICE COMMISSION

RENO CITY CHARTER, ARTICLE IX CIVIL SERVICE

Section 9.010. Civil Service: Objectives.

The purpose of this article is to provide the City of Reno with an efficient work force, with equity to all persons concerned. To attain this objective:

1. All appointments and promotions to positions in the civil service shall be made on the sole basis of merit and fitness, without regard to non-job-related considerations.
2. Career and promotional opportunities shall be readily available to employees.
3. A high level performance shall be required of employees to meet their obligations to the city administration, to the users of city services and to the taxpayers.

Section 9.020. Civil Service and Exempt Positions.

1. A civil service system is created for the selection, appointment and promotion of all employees except:
 - (a) A person appointed to a position pursuant to this charter.
 - (b) A person employed by the city for less than 18 hours per week.
 - (c) A person for whose position half or more of the money is provided by a source other than the city.
 - (d) A person employed as a trainee for a period of time which is not more than that period prescribed for a probationary employee.
2. Any employee whose position was within the provisions of the civil service system before May 15, 1977 shall retain all rights and benefits to which he would otherwise be entitled under the system.

Section 9.030. Civil Service Commission: Number, Appointments, Qualifications, Compensations, Terms of Members.

1. A Civil Service Commission is created to carry out the provisions of this article. The Commission consists of seven members appointed by the Mayor with the approval of the City Council.
2. Members must:
 - (a) Be residents of the City.
 - (b) Have no other connection with the city government.
 - (c) Hold no elective office.
 - (d) Serve for terms of five (5) years.
 - (e) Receive compensation as provided by city ordinance.
3. One (1) term of office shall begin on the second Monday in July in each successive year. A member shall serve until his successor is appointed and qualified. A vacancy occurring during a term must be filled by the Mayor with the approval of the City Council for the remainder of that term.

Section 9.040. Commission Meetings.

The Commission shall provide by rule for the holding of not less than one (1) regular meeting per month, for special meetings as needed, for the election of one (1) member as chairman, for the election of one (1) member or appointment of a nonmember as secretary, for public announcement of the time and place of meetings, and for meetings to be open to the public except as provided by Commission rule.

Section 9.050. Authority of Commission.

Except as otherwise provided in Subsection 3 of Section 9.250 of this article, the Commission has authority over and is responsible for:

1. All phases of the selection, appointment and promotion of employees in the civil service;
2. The appeal rights of such employees in regard to dismissal, demotion, suspension and disciplinary actions; and
3. The transfer of employees, together with all responsibilities assigned to the Commission by this article.

Section 9.060. Rules.

1. The Commission shall adopt or amend rules for the civil service system, consistent with the provisions of this article. At least ten (10) days' notice of time and place of hearing on proposed rules shall be given by posting such notice and a copy of each proposed rule on the bulletin board of each department and by giving three (3) copies thereof to the City Manager, each department head, and the president or secretary of each employee organization formally recognized by the city. A copy of all rules adopted and all changes in them shall be filed in the office of the City Clerk. The Commission shall cause the rules and all changes in them to be printed and distributed as it shall deem necessary. Copies shall be available to all officers and employees of the city.
2. The head of each department may adopt rules for the governance of his department not inconsistent with this article or rules adopted thereunder.

Section 9.070. Chief Examiner.

The Commission shall appoint a Chief Examiner who shall serve at the pleasure of the Commission. The Chief Examiner shall administer the provisions of this article in regard to the selection, appointment and promotion of employees in the civil service, under the direction of the Commission and within restrictions established by the Commission.

Section 9.080. Leaves of Absence Without Pay.

The City Manager may promulgate rules governing leaves of absence without pay, subject to the approval of the Commission after public hearing.

Section 9.090. Transfer of Employees.

The Commission may adopt rules governing the transfer of employees, provided that no employee shall be transferred for disciplinary purposes.

Section 9.100. Reports of Employee Performance.

The Commission shall have authority to require, from time to time, reports on the performance and efficiency of employees, and to require medical examinations of any employee, and to obtain the results thereof. Each employee shall be entitled to see all such reports concerning him.

Section 9.110. Agreements.

The Commission shall have authority to make agreements, to enter into cooperative arrangements with or to obtain assistance from other agencies or persons for the purpose of improving the efficiency or quality of the services it provides.

Section 9.120. Blanketing into Civil Service.

When positions which have not been within the civil service are declared by law to be included in the civil service, the Commission may authorize the probationary appointment to such positions of employees who have held those positions satisfactorily for a period of one (1) year. Other employees in such positions may be given temporary or provisional appointments as ordered by the Commission.

Section 9.130. Return to Civil Service.

An employee with confirmed civil service rating who is appointed to an exempt position shall not lose his civil service rating while serving in that exempt position.

Section 9.140. Layoff.

Whenever in the judgment of the City Council it becomes necessary to reduce the staff of any City department such reduction of staff shall be accomplished pursuant to rules adopted by the Commission designed to encourage interdepartmental transfers and other procedures tending to minimize the impact of layoffs.

Section 9.150. Support.

The City Council shall provide such employees, facilities and funds necessary or proper for the purpose of enabling the Commission to accomplish its functions and purposes set forth in this article.

Section 9.160. Prohibited Acts.

1. No appointments to or removal from a position in the civil service shall be affected in any manner by any individuals:
 - (a) Race, color, national origin, membership or non-membership in an employee organization, or religious beliefs or affiliations.
 - (b) Sex, marital status, age, or physical or visual handicap except when the Commission has certified that such fact constitutes a reasonable occupational qualification or disqualification for employment.
 - (c) Political beliefs or affiliations except if that individual advocates or is a member of any organization that advocates the overthrow of the government of the United States by other than lawful means.
2. No person shall practice any deception, fraud or unfair practice with respect to application, examination, employment or any other procedure authorized under this article or Commission rule, or in any information given to the Commission.

Section 9.170. Penalties.

Any employee, who is found by the Commission to have violated any of the provisions of this article or of a Commission rule may be dismissed, demoted, suspended or disciplined by the Commission, pursuant to Commission rules.

Section 9.180. Class Specifications.

The City Manager may adopt and revise specifications for the classes of positions in the civil service. Each class specification shall include a title, a definition or statement of the characteristics of the class, a list of typical tasks or examples of the duties of the class, and a statement of the desirable minimum qualifications of employees in the class. The desirable minimum qualifications shall be subject to review and approval by the Commission as part of its responsibility for recruiting and selecting employees.

Section 9.190. Examinations, General.

1. The Commission shall conduct examinations and provide eligibles for appointment on a timely basis, prior to the occurrence of vacancies when feasible. Examinations shall be competitive, open to all applicants who meet the announced minimum requirements, and publicized in advance.
2. Examinations shall be practical in character and shall relate to the duties of the class. They may consist of written tests, interviews or oral tests, demonstrations of skill, tests of capacity or knowledge, health or physical fitness, investigations of past performance, personal qualifications, character, education, experience, or any combination of tests which the Commission deems appropriate.

Section 9.200. Open and Promotional Examinations.

1. Vacancies in positions shall be filled insofar as consistent with the best interests of the City from among employees holding positions in lower classes, and promotional eligible lists shall be established to facilitate this purpose. Examinations shall be held on an open, non-promotional basis when in the judgment of the Commission open competition will produce eligible lists with more highly skilled qualified eligibles and is consistent with the best interests of the city. The Commission may provide that an examination shall result in both open and promotional eligible lists.
2. Promotional examinations may be restricted to confirmed employees of a single department, of several specified departments, or may be open to all confirmed employees of the City.
3. Open examinations may be restricted to non-civil service employees of the City.

Section 9.210. Assembled and Continuous Examinations.

The Commission may hold assembled examinations when there is adequate competition to meet the City's needs. The Commission may hold continuous examinations and create eligible lists continuously for classes for which it is found difficult to maintain adequate lists, adding names to the continuous list as eligibility is established.

Section 9.220. Examination Scores.

The Commission shall establish the minimum passing point for each examination and for each test in an examination, for procedures for the computation of scores, and for the relative weights of each part of examinations. Passing points shall be established before the identification of the competitors' examination papers.

Section 9.230. Assistance in Examinations.

It shall be the duty of all departments, officers and employees of the City to assist the Commission in the development and administration of examinations as requested by the Commission.

Section 9.240. Eligible Lists.

1. Names shall be placed on all eligible lists in order of earned scores, with the highest scores first. An existing list for a class shall be abolished upon issuance of a new list resulting from an assembled examination, except that an open list and a promotional list may exist at the same time.
2. An eligible list resulting from a promotional examination shall take precedence over one resulting from an open examination. Names placed on an eligible list resulting from an assembled examination shall remain on that list for a period of one (1) year unless removed as a result of appointment, or by action of the Commission, or upon the establishment of a later list. The Commission may otherwise extend the life of such a list for a period of not to exceed one (1) additional year.
3. Names placed on an eligible list resulting from a continuous examination shall remain on that list for a period of one (1) year from the dates of testing unless removed as a result of appointment or by action of the Commission.
4. The Commission may remove from a list the name of any eligible if information becomes available before appointment which, if known at the time of examination, would have resulted in that person's elimination.

Section 9.250. Appointments.

1. Except as otherwise provided in Subsection 3, the Commission shall provide by rule for the appointment of persons to all positions in the civil service. The Commission shall provide for probationary appointments and may provide for emergency, temporary, provisional and such other types of appointments as it deems desirable to facilitate the business of the City.
2. Probationary appointments, except for those authorized by Section 9.120 of this article, may be made only as the result of the examining and certification process authorized in this article.
3. The Commission shall, in accordance with its rules and regulations, certify to the appointing authority the names of not less than the three (3) most qualified persons on the eligibility

list. The names of the persons must be listed in the order of their examination scores, with the name of the person with the highest score listed first. The appointing authority shall choose from among those names in accordance with the rules and regulations adopted by the Commission. Rules and regulations adopted by this Commission pursuant to this subsection must be approved by the City Council before they become effective.

4. The Commission shall conduct examinations to provide eligibility lists and shall provide a means of filling vacant positions pending establishment of the necessary lists.
5. To facilitate the use of broad classes and to avoid the establishment of additional highly specialized classes the Commission may authorize the certification of only those persons on an eligibility list who possess certain skills, abilities or qualities not required in most positions in the class.
6. The Commission shall by rule provide for:
 - (a) Probationary periods of not over one (1) year for each class;
 - (b) The right of a department head to dismiss a probationary employee without right of appeal;
 - (c) The right of an employee who has been promoted to return to a lower class following probationary dismissal;
 - (d) A procedure to confirm employees in permanent status at the end of a probationary period.

Section 9.260. Duties and Authority of the City Manager.

1. All employees in the civil service, other than those employed by the Commission, shall hold their positions at the pleasure of the City Manager and shall perform their assigned duties under his direction, subject to the provisions of this article. No employee in the civil service shall be suspended, demoted, dismissed or disciplined except as provided in this article.
2. The City Manager or his delegate may bring disciplinary action against any employee in the civil service who:
 - (a) Is unable to or fails for any reason to perform his duties properly and efficiently.
 - (b) Is guilty of actions which reduce his effectiveness as an employee or bring discredit on the city service.
 - (c) Has violated any provision of this article or of Commission rules.
3. The City Manager shall immediately report any suspension of more than three (3) days or any action of demotion or termination to the Secretary of the Commission and at the same time deliver to the Secretary and to the affected employee copies of a complaint setting forth the action taken and the reasons for that action, with the name of the original complainant if other than the City Manager.
4. Whenever a written complaint against any employee in the civil service is made to the City Manager, he shall immediately communicate it to the Secretary of the Commission.
5. The City Manager or his delegate has the authority to adjust an employee's salary within the salary range for the class on the basis of quality and quantity of the employee's work. The Commission shall by rule provide for appeals from such adjustment on a showing that it was made principally for disciplinary purposes.

Section 9.270 Appeals to the Commission

1. An employee in the civil service who has been suspended for a period of more than three (3) days or who is the subject of an action by the City Manager to demote or terminate him may appeal such action to the Commission by serving the Secretary of the Commission with a written notice of appeal within ten (10) days after such action. The Commission shall set the time for hearing the appeal not less than five (5) Nor more than fifteen (15) days after the date of service of the notice of appeal.
2. The Commission shall adopt a rule for hearing such appeals and making any investigations it deems appropriate. In all appeals to the Commission, the City Attorney shall represent the interest of the City.
3. In connection with any hearing or investigation contemplated by this article, each member of the Commission may administer oaths, secure by subpoena the attendance of witnesses residing within fifty (50) miles of the City of Reno and the production of books and papers relevant to the hearing or investigation, compel witnesses to answer and punish for contempt in the same manner as provided by law for the governing of trials before justices of the peace for failure to answer or produce books and other evidence necessary for the hearing. All witnesses must be under oath. The accused has the right to be heard in person and by attorney in his own defense and is entitled to secure the attendance of witnesses at the expense of the City if within the reach of the Commission's subpoena and necessary for his defense. Upon a showing of necessity, an accused may secure from the Commission an order requiring the taking of depositions of witnesses who are necessary to his defense and not within the reach of a subpoena. The Commission shall determine to what extent the expense of such depositions will be paid for by the City. Hearings on appeal must be reported and may be transcribed if a transcript is necessary for a deliberation of the Commission or for an appeal to the district court. The Commission shall render its decision within seven (7) days after the date of the hearing.
4. The action taken by the City Manager may be affirmed, modified or revoked by the Commission. If the Commission finds that the reason for which the action was taken is insufficient, it must modify or revoke the action.
5. The Commission shall adopt a rule for the hearing and disposition of appeals concerning procedures or the content of examinations.

Section 9.280. Disciplinary Authority of Commission; Judicial Review.

1. Verified charges may be filed with the Commission setting forth cause for disciplinary action against any civil service employee by any resident of the City. The Commission may conduct investigations and hold such hearings as it deems appropriate to determine the facts. If the Commission finds the charges true, it may order the suspension, dismissal or discipline of the employee.
2. The Commission on its own initiative may conduct investigations and hearings with respect to violations of this article or rules of the Commission and impose such sanctions as it deems appropriate.
3. Any person who is aggrieved by a final decision of the Commission may petition for judicial review in the manner provided by Chapter 233B of NRS.

Section 9.290. Salary of Suspended, Demoted or Disciplined Employee.

No employee shall be deprived of any salary or wages for the period of time he may be suspended, demoted or dismissed pending a hearing and decision unless such disciplinary action or removal shall be sustained by the Commission.